DOCUMENT RESUME

ED 465 267 FL 027 280

TITLE	Examining the Bilingual Education Act. Hearing before the Subcommittee on Early Childhood, Youth and Families of the Committee on Education and the Workforce. House of Representatives, One Hundred Sixth Congress, First Session (Washington, DC, June 24, 1999).
INSTITUTION	Congress of the U.S., Washington, DC. House Committee on Education and the Workforce.
REPORT NO	House-Hrg-106-50
ISBN	ISBN-0-16-059667-X
PUB DATE	1999-06-24
NOTE	110p.; Contains small print.
AVAILABLE FROM	U.S. Government Printing Office, Superintendent of Documents, Congressional Sales Office, Mail Stop: SSOP, Washington, DC 20402-0001. Tel: 202-512-1800; Fax: 202-512-2250; Web site: http://www.bookstore.gpo.gov.
PUB TYPE	Legal/Legislative/Regulatory Materials (090)
EDRS PRICE	MF01/PC05 Plus Postage.
DESCRIPTORS	*Bilingual Education; *Bilingual Students; Elementary Secondary Education; Equal Education; Federal Legislation; Hearings; Hispanic American Students; Immigrants; *Limited English Speaking
IDENTIFIERS	Arizona; *Bilingual Education Act 1994; California; Congress 106th; Texas

ABSTRACT

This Congressional hearing on the Bilingual Education Act examines current law and changes necessary to ensure that it provides limited English speaking students with the best possible educational opportunities. After opening statements by Chairman Michael Castle and Representative Carlos Romero-Barcelo, both of the Subcommittee on Early Childhood, Youth and Families of the Committee on Education and the Workforce, U.S. House of Representatives, there are four statements by the following individuals: Joseph Farley, elementary school principal, California; Martha Bujanda, former student, Texas; Sylvia Hatton, executive director, Region I Education Service Center, Texas; Don Soifer, executive vice president, Lexington Institute, Virginia; and Hector Ayala, teacher and director of English for the Children, Arizona. The six appendixes present opening statements and written statements. (SM)

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EXAMINING THE BILINGUAL EDUCATION ACT

ED 465 267

HEARING

BEFORE THE

SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES

OF THE

COMMITTEE ON EDUCATION AND THE WORKFORCE

HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 24, 1999

Serial No. 106–50

Printed for the use of the Committee on Education and the Workforce

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U.S. GOVERNMENT PRINTING OFFICE
60–382 WASHINGTON : 1999

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-059667-X

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EXAMINING THE BILINGUAL EDUCATION ACT

THURSDAY, JUNE 24, 1999
HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES,
COMMITTEE ON EDUCATION AND THE WORKFORCE,
WASHINGTON, D.C.

The Subcommittee met, pursuant to call, at 9:30 a.m., in Room 2175, Rayburn House Office Building, Hon. Michael N. Castle [Chairman of the Subcommittee] Presiding.

Present: Representatives Castle, Petri, Hilleary, Salmon, Tancredo, Kildee, Payne, Woolsey, Romero-Barcelo, Hinojosa, Kucinich, and Wu.

Staff Present: Robert Borden, Professional Staff Member; Linda Castleman, Office Manager; Victor Klatt, Education Policy Coordinator; Lynn Selmser, Professional Staff Member; Bob Sweet, Professional Staff Member; Kent Talbert, Professional Staff Member; Shane Wright, Legislative Assistant; Dan Lara, Press Secretary; Mark Zuckerman, Minority General Counsel; June Harris, Minority Education Coordinator; Cheryl Johnson, Minority Counsel/Education and Oversight; Alex Nock, Minority Legislative Associate/Education; and Roxana Folescu, Minority Staff Assistant/Education.

OPENING STATEMENT OF CHAIRMAN MICHAEL CASTLE, SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

Chairman Castle. Ladies and gentlemen, this is the Subcommittee on Early Childhood, Youth and Families. I am Mike Castle, the Chairman of this Subcommittee. Mr. Kildee, who is always on time, is not quite with us yet but may be shortly.

I will do an opening statement, either Mr. Romero-Barcelo or Mr. Kildee will give an opening statement, then we will call on you for your opening statements. So we are pleased that you are here, and we look forward to an interesting hearing on a rather interesting subject. I would like to thank you for taking time to be here, some of you are from fairly far away so we realize it is a bit of a sacrifice in your schedules to do this.

The title of today's hearing is "Examining the Bilingual Education Act." This is an appropriate title since we plan to examine current law and determine what changes are necessary to ensure it provides limited-English proficient children with the best possible educational opportunities. The education of limited-English proficient children is of growing interest throughout the United States as more and more school districts are faced with the challenge of providing a quality education to children for whom English is not their first language.

I believe the word "quality" is the key. As the population of limited-English proficient children increases, we need to insure that programs funded under this act provide each and every child with the opportunity to achieve to his or her greatest potential. An important part of achieving this goal is ensure such children learn the English language as soon as possible.

I know that the debate over the years has focused on the methods of instruction that is most effective in helping limited-English children succeed in school. However, I believe our primary focus should be on the children and allowing schools and parents to make decisions regarding the instructional programs they will use to educate these children, based on the needs of the children themselves.

We must acknowledge the fact that children learn differently and all children have different needs. Allowing schools and parents to make decisions regarding the education of their children places control in the hands of those individuals who know these children the best.

Currently, the graduation rates of limited-English proficient children are very discouraging. In 1995, only 55.2 percent of Hispanic students graduated from high school. It is my hope that we can work together to support changes in the current Bilingual Education Act to ensure that each and every child participating in programs funded under this act is given the opportunity to graduate from high school, continue their education, or enter the world of work.

I look forward to receiving the testimony of today's witnesses. And I yield now to Mr. Romero-Barcelo for whatever opening remarks he may wish to make.

OPENING STATEMENT OF CHAIRMAN MICHAEL CASTLE, SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC – SEE APPENDIX A

OPENING STATEMENT OF REPRESENTATIVE CARLOS ROMERO-BARCELO, SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND

FAMILIES, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

Mr. Romero-Barcelo. Thank you, Mr. Chairman. I want -- I am very enthused about the fact that we are having this hearing, and I won't be able to stay here for the actual hearing because I have a markup on another hearing which is to pass a bill in Committee which is important that we be there.

I wanted to comment on the fact that bilingual education is something that has been debated for so long, and it seems absurd that something as clear as teaching a subject should not be so debated. First of all, we have to look at the fact that bilingual education in terms of is it or is it not good for a child to know two languages or more languages.

I don't think any educator would dare say that it was not good for a child or young person to learn more than one language. But then they come up with the absurd statements on some of the educators that say at the early age you should not teach another language because it confuses the child. It confuses the educator, not the child. It confuses the teachers but not the child. You don't confuse a child because you start teaching him math at the earliest possible age.

So any subject you start teaching at the earliest possible age -- we know by experience that any child that goes to a foreign country with a family, the younger the child, the faster the he will learn the language. You have a -- have you a couple that goes to Germany. They have three children, one is 5 years old, the other one is 12, and the other one is 19. I can assure you that by the end of 5 or 6 months the 5-year-old is speaking German. By 2 years from now, the 12-year-old will be speaking a lot of sentences in German, and the 20-year-old will speaking a few words, and the parents will be saying "Ja" and "Nein."

So the earlier the child is exposed to another language, the sooner he will learn it. And if the child has by heritage another a language that is part of his ancestors, to say that he should not be proficient in that language of the ancestors is also ridiculous and absurd.

So what the problem is, how do you teach a child English if he doesn't know English, the most effective way, and at the same time how do you allow him to also learn in the other subjects, while he still does not understand enough English academically to be successful in the other languages?

So it is obvious you have to teach him in the language that he knows best until he becomes proficient in English. And to set that in terms of years is absurd. You have to set it in terms of achievement. And once a child achieves the capability to study in English, then he will go into English classes. But give them the option that a child should have the option. And we should never try to say to a child that speaking in the language of his ancestors is not good or it is bad because that is like tearing away the child's soul, like tearing away what his family stands for, what he stands for. A language is part of the heritage.

And we are -- some people say that we are not a multicultural society. We are a multicultural society. We are -- you think about states like Louisiana and Texas. They are right next to each other and they have different cultures. What is the music in Texas? The music in Texas is rancheras and Mexican music, country music, and Tex-Mex music. What is the music in Louisiana? Jazz, the Dixieland blues. What do they eat in Texas? Steaks and potatoes, but also enchiladas and tortillas. What do they eat in Louisiana? Jambalaya, crawfish. They are right next to each other.

The basic things like food and music, they are two cultures. So we are a multicultural society. What is the music in New York now? Salsa, Puerto Rican music, you see more than thinking else. And only about 1 million people in New York are Puerto Ricans. So that is the wealth of the nation.

So I think as we look at the bilingual education as the Chairman said, the important thing is to look at what the child needs and what the child and the parents feel is best for them. They will automatically -- if they are in the United States, they will automatically realize that they must learn English as soon as possible and as well as possible.

But not when it is forced down. When you force something on anyone, a child, teenager, or a grown up, you create resistance. But if you stimulate and you encourage, then you develop the interest. And this is what we have been following in Puerto Rico. After 99 years of experimenting, we are finding out it is the opportunity and the providing the opportunity of learning both languages that is most successful.

Thank you very much, and I hope we can learn a lot more from you today.

Chairman Castle. Thank you Mr. Romero-Barcelo. We appreciate those words of wisdom. We have five distinguished witnesses here today. I am going to introduce a few of you, and other Members will introduce a couple of you. But we are pleased to have every single one of you here. You will speak in the order in which you are introduced, which is also the order you are sitting there.

The first witness will be Dr. Joseph Farley, who is the principal at the Mission elementary School in Oceanside, California. Dr. Farley has over 25 years of experience in educating children, including extensive experience in bilingual education and English as a second language. Additionally, he has an undergraduate major in Spanish language, is fluent in spoken Spanish.

The second witness is Mrs. Martha Bujanda, who immigrated from Mexico to Texas at the age of 5 with her family as a student. She gained first-hand experience of both bilingual education and English immersion classes.

The third one is Dr. Sylvia Hatton, and Mr. Hinojosa, our distinguished representative from Texas, will introduce her now.

Mr. Hinojosa. Thank you. Well, thank you, Chairman Castle. It is a pleasure to be listening to such distinguished representatives from the education community. And it is an honor for me to be able to introduce my friend Dr. Sylvia Hatton. Before I introduce her, though, I do want to say that looking at the material that was given us on each of the presenters I am delighted we have this opportunity to discuss those portions of the reauthorization act on elementary and secondary education that are so important to me and the area that I represent.

South Texas, the Rio Grande Valley, which is from McAllen to San Antonio, is an area that is about 80 percent Hispanic and probably has the largest migrant student population in the country. It has a very large percentage of limited-English proficient students. It is an area that needs a great deal of what we are offering to do in the reauthorization act of 1999.

So the background that I bring to Congress is that I served as the Chairman of the special populations of the Texas Education Agency State Board of Education. And during those 10 years, I learned a great deal about bilingual ed., migrant ed., special ed., gifted and talented programs. And so when I hear your testimony, I will be very able to understand your presentation. And I will have some questions for you.

But I do want to say that joining you is an individual who in south Texas is highly regarded and highly respected because she is one of us. Born and raised in the Rio Grande Valley in south Texas, an individual who went through bilingual education and went on to get her Ph.D., from the University of Texas in Austin.

Dr. Hatton graduated from Edinburg High School and earned her bachelor's and master's in education from University of Texas Pan America. As a professional, she distinguished herself as a teacher at Edinburg Consolidated School District and also as a coordinator of special education and in the gifted and talented programs. She was the assistant superintendent for curriculum in La Jolla Independent School District. And today she is the executive director of Region 1 Education Service Center, the area from Brownsville to Laredo, which is the third biggest regional education service center in the state of Texas out of 20 of them.

So she does have a large number of school districts, many which are in my congressional district.

She is the proud mother of two children, David and Michael. She has one granddaughter, Nicky, and participates in many -- those children participate in bilingual education programs. So I am looking forward to your testimony, Dr. Hatton; and we thank you for coming all the way from my congressional district to Washington. Thank you, Chairman Castle.

Chairman Castle. Thank Mr. Hinojosa. We appreciate that.

And our further witness will be Mr. Don Soifer, who is the executive vice president of the Lexington Institute, a public policy thank tank based in Arlington, Virginia. Mr. Soifer's writings on education reform issues are widely published both locally and nationally.

And our final witness, our clean-up hitter for the day, if you will, is Mr. Hector Ayala; and he will be introduced by Matt Salmon, the distinguished Congressman from Arizona.

Mr. Salmon. Thank you. I am going to be very pleased to introduce Mr. Ayala; but before I do, this hearing is also very timely to me living in a border State where we are very pluralistic, and very multicultural. And I have some very, very strong concerns.

My first concern is that I have learned a very, very alarming statistic and that is among the Hispanic people nationwide the dropout rate is about 40 percent, far higher than any other ethnicity in the country. We have to find out what the cause of that is. We have to find out what the problem is. And we have to find out how to help. I also am very concerned that our State superintendent of public instruction has released a report which shows that the graduation rate in bilingual ed. in the State of Arizona on an annual basis is somewhere between 3 and 4 percent, which is extremely dismal. I would like to find out what the reason for that is.

I know that we all here are trying to help children to learn. I think we have a responsibility to make sure that all children get a very quality education so that they can go on and compete. I think the most pro-immigrant stand that a person could take is to try as quickly as possible to help children to be able to compete in this country, so that they can go on and be productive citizens and successfully go into the job market.

I think, personally, the best way to do that is to assimilate them into the English language as fast as we possibly can. And I don't say that without having had experience myself. I was a Mormon missionary when I was 19. I had never before studied any language. Some say if you totally immerse a person in another language that they lose their first language or they become impaired in their first language.

When I learned Mandarin Chinese, I remember going to the language training center on a Wednesday and by Sunday we were forbidden to speak in our native tongue. We had to speak in Mandarin Chinese. Of course we did a lot of grunting and pointing that first day, but for 2 years, I spoke virtually nothing but Mandarin Chinese. After a year, I was dreaming in Mandarin Chinese; I think I still have a fairly good command of the English language, and I am not unique.

Tens of thousands of Mormon missionaries go out every year and learn different languages, and they are totally immersed in their new language; they are forced to do so because they have to go and teach in other people's native tongues.

I haven't ever really met another ex-Mormon missionary that came back and forgot the English language. They all have been able to master both. And so with that, I am delighted to introduce a fellow Arizonan, Hector Ayala, to the Subcommittee, and thank Chairman Castle for inviting him at my request.

As you'll soon learn, Hector is uniquely qualified to discuss the issue of bilingual education. Hector is in the trenches of the bilingual reform battle. As an English school teacher in Tucson unified School District for the past 12 years, Hector will share with us what he has seen first hand, that bilingual programs typically impair the student's preparedness for high school course work.

He will tell you how freshmen students read at an elementary grade level and only a minority of students who enter high school graduate on time. He will also provide accounts of how students are placed in bilingual programs without parental notification, much less consent, and the difficulty of removing children from bilingual programs once placed.

The results he reports should shock us all into shame and all into action. In April, I met with Hector to discuss efforts of the state of Arizona to reform bilingual education. I came away impressed with his passion and his commitment to help kids trapped in failing bilingual education programs. At the time of our meeting, there was still the possibility of a significant bilingual reform bill passing the Arizona legislature. Regrettably only mild reform legislation passed.

As was the case in California, it appears that the ballot initiative process may be the only viable avenue left for true bilingual reform in Arizona. Hector serves as the director of English for the children of Arizona and will have an opportunity to speak to the progress and the prognosis of the proposed bilingual ballot initiative in Arizona. I look forward to hearing his testimony.

Chairman Castle. Thank you, Mr. Salmon. Mr. Petri of Wisconsin is also here. Other members may come and go. That is the nature of this business. We all have a lot of Committees and Subcommittees to worry about, and then we have votes every now and then. And a vote may occur before you are done and at which point we have to figure out how to take a recess for a short period of time so we can come back to your testimony, but in your turn.

Basic rules are you have 5 minutes to make your oral presentation. You can extract that from your written statements which we have and have hopefully read. After 4 minutes, the green light will go off, and the yellow light will come on. After 5 minutes, the red light will come on. At that point you should start thinking about trying to come to closure as rapidly as you can. Because we have your written statements and you may be reading from portions of it, you may want to emphasize something more and not read the entire statement, in order to make the points that you feel are most necessary here. And then after that, each Member will have 5 minutes to ask questions and get answers to those questions from you as the witnesses. So we look forward to that.

This is important. The subject we take up is very, very important to a lot of good American people. And we do need to focus on this. We really do appreciate you being here. And with that we will start with Dr. Farley.

STATEMENT OF DR. JOSEPH FARLEY, PRINCIPAL, MISSION ELEMENTARY SCHOOL, OCEANSIDE UNIFIED SCHOOL DISTRICT, OCEANSIDE, CA

Dr. Farley. Mr. Castle and Members of the Committee, thank you for including me in your discussion on bilingual education. Today is literally my second day as associate superintendent of the Oceanside Unified School District in Oceanside, California. Our 25 schools and 22,000 kindergarten through 12th grade students have received wide-spread attention since California voters approved Proposition 227, declaring English the language of instruction in California classrooms.

The passage of Proposition 227 had major implications for our district, because 21 percent of our students are considered limited in English proficiency. Twenty different languages are spoken in our community, but most of our non-English speaking children speak Spanish. The majority of these students also qualify for free and reduced school meals, an indicator of low family income.

Prior to the implementation of Proposition 227, half of our district's English language learners were enrolled in so-called bilingual classes. The availability of bilingual teachers determined how many students would be enrolled in these classes. Instruction was predominantly in Spanish, while students received approximately 45 minutes per day of English as a second language. Textbooks, instructional materials, and the district's standardized assessment test were in Spanish.

Students typically remained in bilingual classes from kindergarten through fourth grade and were declared English proficient by the sixth grade. However, many students remained in bilingual settings for 6 or 7 years and still had limited proficiency in reading, writing, and speaking the English language.

California school districts with large numbers of limited and non-English speaking students anxiously awaited the outcome of the June 3, 1998, vote on Proposition 227, also called the Initiative for English Language Education in Public Schools. At Mission Elementary School, where I had been principal, 400 of the 820 students had been participating in formal bilingual education. We weren't certain how these students would do in an English-only environment, and many of our teachers and myself were against the proposition.

When the proposition passed, our governing board and superintendent, Mr. Kenneth Noonan, interpreted the legislation more strictly than most districts, even though Mr. Noonan had been president of the California association of Bilingual Educators and had been a bilingual instructor himself. English would be the language of instruction in Oceanside classrooms with the goal of developing student fluency as quickly as possible.

In Oceanside, structured English immersion classes replaced bilingual ones, and all structural materials were presented in English. Teachers were permitted to use a child's native language only when it was clear that a student did not grasp a key concept. This was a legislative requirement of the proposition. However, there were no attempts to restrict a child's language preference outside of the classroom, and staff members continued to communicate with parents in Spanish when necessary.

In the spring of 1998, California second through 12th graders took a new standardized examination in language, reading, and math. It was written and administered completely in English. It was administered and written in English to our bilingual students as well. With the implementation of English-only instruction in Oceanside, the 1998 test results became pretest scores that were compared with those of 1999 to assess the instructional success of English-only instruction.

It would be an understatement to say that my Oceanside colleagues and I were pleased with the language and math growth of our students. We were amazed, excited, proud, and inundated with attention. Although our scores fall in the average range when compared to the national norm, the increase across the board is phenomenal, particularly for English language learners who showed a gain that ranged from 56 percent in the third grade reading up to 475 percent in the seventh grade reading.

At my former school, the scores ranked from 138 percent gain to 222 percent gain, clearly an indication of our success and California's success with English language only instruction. Thank you.

Chairman Castle. Thank you, Dr. Farley.

[The statement of Dr. Farley follows:]

WRITTEN STATEMENT OF DR. JOSEPH FARLEY, PRINCIPAL, MISSION ELEMENTARY SCHOOL, OCEANSIDE UNIFIED SCHOOL DISTRICT, OCEANSIDE, CA – SEE APPENDIX B

Chairman Castle. Ms. Bujanda.

STATEMENT OF MS. MARTHA BUJANDA, FORMER STUDENT, THE COLONY, TEXAS

Ms. Bujanda. Mr. Chairman and Members of the Committee, my name is Martha Bujanda from Dallas, Texas. I am here today to discuss the issue of bilingual education. This is a program with which I have had a great deal of personal experience. My family immigrated to Texas from Mexico when I was 5 years old, and I was immediately placed in a bilingual education program. For 3 years I learned almost no English in this program until my family moved to Dallas and I was finally placed in an English program in a school which had no bilingual education where I could acquire the skills which allowed me to graduate and go onto college.

Currently, I am pursuing my MBA at the University of Dallas. I would like to make clear that I believe the ability to communicate in two languages is an incredible asset. In many cases, someone who is bilingual has a clear and definite advantage over someone who is not.

The question before us then is not whether it is beneficial to be bilingual or not. Undoubtedly being bilingual has indisputable advantages. What should concern us is the extent to which bilingual education truly helps minority children learn English, succeed in the United States and whether or not parents have a legal right to know in what manner their child is being taught English.

From 1994 to 1998, I was the director of a community outreach program at the University of Dallas in Irving, Texas, the goal of which was to tutor students who had failed all or portions of the Texas Assessment of Academic Skills Test, more commonly known as the TAAS Test.

Students are required to pass this exam in order to advance to the next grade level in the Texas public school system. As director of this program, I was in contact with countless numbers of Hispanic parents who were unaware that their children were in bilingual education classes and were under the false impression that their children were being taught in English. Unable to speak English themselves, I found the parents were intimidated by the prospect of questioning their children's teachers and principals, even if they did want their children to be taught solely in English.

I also noticed a widespread misunderstanding regarding their conception of the bilingual education program and their children. Most parents were not aware of what the term "bilingual education" meant exactly. At the heart of this confusion was their notion of what language would take preeminence over the other. Thus they expected their children to be in a class where English would be spoken predominantly. Only when their child did not understand or had difficulty on an assignment would the teacher help him in her in their native language. These parents were surprised to find that many of the classes their children attended were taught solely in Spanish while others were chiefly taught in Spanish but included some English as well.

As parents became aware of this unfortunate reality, a feeling of impotence came over them. Unable to speak English themselves, many of them felt they had no recourse as they saw their children continue to struggle with the English language even after several years of bilingual education.

I often asked them why they did not remove their children from bilingual education if they were dissatisfied with the results. The answer was always that they did not know they had this option.

However, even when parents discovered that removing their child from bilingual education was possible, they often did not feel empowered to do so. In almost all cases, they were intimidated by the thought of having to go to their children's school and formally sign a written request stating their desire to remove their child from the bilingual education program. Even in those rare cases where parents were willing to be proactive with school administrations about this issue, they were often discouraged by guidance counselors and teachers or were made to feel like outcasts for wishing to place their children in mainstream classes.

On one occasion, the mother of one my students approached me and asked what was required to remover her seventh grade boy from the bilingual education program at Irving Middle School. When I inquired as to why she wanted to do this, she responded that her son had been educated in a bilingual program since elementary school and she felt he was capable of speaking better English than he actually did. I informed her that under Texas law all that was necessary was a written request with her signature indicating her wishes. She asked me to accompany her to the school since she did not speak English very well and I agreed.

What I thought would be a relatively simple task, turned into a 2-1/2 hour situation. Disregarding the mother's wishes, the boy's homeroom teacher, guidance counselor, and principal attempted to convince them both that it was in the boy's best interest to remain in the program instead of attending mainstream classes in English.

I reminded them all that the only stipulation required under Texas law to remove a child from bilingual education program was a written request from a parent. Only after this did they cease to discourage the mother.

I believe this mother to be representative of countless Hispanic parents who are unaware of the manner in which their children are being educated. Yet this unfortunate situation is simply the result of a lack of communication and in some cases of an outright unwillingness on the part of school officials to respond to what parents perceive is the best interest of their child.

It may seem easy for the parents of a bilingual education student to ask administration for the removal of his or her child from bilingual education classes, but to many parents this is a tremendous obstacle to overcome. Hispanic parents who have only recently immigrated to the United States are undoubtedly intimidated by their surroundings. As they seek to adjust to this new environment and learn English themselves, the prospect of having to argue with teachers, principals, and other school administrators in order to secure an English education for their children is frightening, to say the least.

Hispanic parents should be given the opportunity of choosing the type of education they feel is most beneficial to their child without feeling pressured by school administration or anyone else. This bill would require that public school systems be forthcoming with regard to the education of Hispanic students.

If passed, it would finally allow parents to make a truly informed decision on the type of education they would prefer for their children, allowing them for the first time to weigh all of their options. It should be the responsibility of each school to inform the parents that they have a choice on the language in which their children are to be educated. Thank you.

[The statement of Ms. Bujanda follows:]

WRITTEN TESTIMONY OF MS. MARTHA BUJANDA, FORMER STUDENT, THE COLONY, TEXAS - SEE APPENDIX C

Chairman Castle. Thank you, Ms. Bujanda. We appreciate that. The next witness is Dr. Hatton.

STATEMENT OF DR. SYLVIA HATTON, EXECUTIVE DIRECTOR, REGION 1 EDUCATION SERVICE CENTER, EDINBURG, TEXAS

Dr. Hatton. Good morning. Thank you, Mr. Chairman for inviting me to be here today; and thank you to the members of the panel who are here with us this morning. My name is Sylvia Hatton. Like Ms. Bujanda, I agree that being bilingual, multilingual and multicultural is a tremendous asset. As a child, my grandmother always told me that losing the language and the culture of my ancestors and of my grandparents and my parents would be like losing a part of my heart. And I truly believe that. I am a passionate advocate of bilingual education and, actually, multilingual education. But I have that passion for all children and that belief for all children.

In 1977, James Crawford stated that competence in multiple languages is an obvious necessity in diplomacy, national security and the marketplace. Today, more so than at any other time in our history, I believe it is imperative that all of our children in the public school systems of America have the opportunity and the choice to develop proficiency in more than one language.

The fastest growing population of school age children in America are language minority children, children who already bring a language other than English to the schoolhouse door. In the Region 1 Education Service Center area which I am privileged to serve, we have 38 school districts, seven charter schools, and a juvenile justice center serving approximately 290,000 students.

Of those. 95.2 percent are Hispanic: 55 percent are limited-English proficient; 81.4 percent come from economically disadvantaged backgrounds: and as Congressman Hinojosa stated earlier, almost half of the migrant students in the State of Texas call the districts of Region 1 and the communities of region 1 home.

So I have an intimate knowledge of bilingual education in my region. And I am very proud to say that I represent a region in Texas that has had tremendous success with bilingual education programs as evidenced by the accountability results of the Texas statewide system assessment called the TAAS.

I believe that the Bilingual Education Act, enacted in 1965, is landmark legislation because it provides the impetus for my State and other States across this country to make some good choices for children, and to develop bilingual education programs to do away with the old prohibitions that all instruction must be in only one language.

I was a native Spanish speaker entering school, and in the 50's there was no bilingual education in the public schools. So my parents chose a parochial school education for me so that I could continue to develop proficiency in the academic content areas of my native language, areas of Spanish, as I acquired expertise in content in a second language, English. And I am very proud to this day that I am able to be equally comfortable in both languages and in both cultures.

But in the 30 years since Texas enacted public education programs, we have seen steady improvement in the performance of our limited-English proficient students. In the 1993, 1994 legislative report, we see that the former LEP students, in their first year after exit from a bilingual program in grades three and four taking the TAAS assessment, the Texas Assessment of Academic Skills, were able to perform quite successfully, so successfully that they out-performed Hispanic and African American students who had been in all English programs.

In my region, our most recent results on the Texas Academic Assessment instruments administered in both English and Spanish in grades three and four show tremendous gains in improvement with over 75 percent of our LEP students and our former LEP students mastering one or more areas of the TAAS, reading, writing, or mathematics.

Perhaps in my region, bilingual education works because we have created the conditions for it to be successful with learners. We believe absolutely in parental empowerment and parental involvement. We believe that parents should be our partners in the teaching/learning process. It is not uncommon to visit a public school in Region 1 and see 200 or 300 parents in our classrooms and our school buildings because we actively pursue their involvement in our decision-making processes.

We also believe very strongly that there are other factors which will influence, whether bilingual education programs are successful or not. In our 30-year history, we have learned that it requires qualified, certified teachers, especially teachers who bring the same language and the same cultural experiences as the learners, in order to influence immediate success.

We know also that limited-English proficient children require additional time for learning, that they require additional tools and resources, like technology. We would urge this panel to please continue to support bilingual education. The demographics across the country are growing; the fastest growing group are language minority children.

In my region, the fastest growing language minority group is Japanese, because we are on the border of Texas, extending from Brownsville to Laredo. I've been real curious to see that the Japanese parents in my home community of McAllen have organized a Saturday program through a parochial school, which we are helping to try to get them accredited through the State education agency, to continue to teach their children the Japanese language and the Japanese culture as reinforcement for the academic content that they are being taught in school in English.

So I am very proud to be from a region that wholeheartedly sees the value of and endorses bilingual education.

Chairman Castle. Thank you, Dr. Hatton.

[The statement of Dr. Hatton follows:]

STATEMENT OF DR. SYLVIA HATTON, EXECUTIVE DIRECTOR, REGION 1 EDUCATION SERVICE CENTER, EDINBURG, TEXAS – SEE APPENDIX D

Chairman Castle. Mr. Soifer.

STATEMENT OF DON SOIFER, EXECUTIVE VICE PRESIDENT, LEXINGTON INSTITUTE, ARLINGTON, VIRGINIA

Mr. Soifer. Mr. Chairman and members of the Subcommittee, thank you for inviting me to participate in today's discussion of Federal education programs for limited-English proficient children. My name is Don Soifer, and I am the executive vice president of the Lexington Institute, a nonpartisan public policy research organization in Arlington Virginia.

My remarks will focus on the need for flexibility in the bilingual education program, and in that regard I will stress the following three points: now more than at any other time in our history, it is essential for young people to possess strong English language schools. Without them, our students are left to fall further behind their peers with less hope of regaining lost ground the older they get. Bilingual education programs currently funded under Title 7 of the ESEA, favor initial instruction in students' native languages rather than in English. Such programs are ill-suited to provide English learners with the schools they need.

The pending ESEA reauthorization gives Congress an important opportunity to make policy changes that will accelerate and improve the learning of English under these programs.

Before turning to these points, I would like to briefly address how my organization views the importance of learning English. If students can graduate from high school fluent in two or three languages, they would certainly be in an advantageous position. Better jobs, better college education, and increased opportunities would likely await them.

When students are denied the opportunity to learn English, segregated in separate classrooms where they receive all of their instruction in Spanish, save for a few precious hours per week or even less, and when they learn reading exclusively in Spanish until the fifth grade, then they are receiving unfair treatment and a poor education.

Their aptitude to acquire a new language, an aptitude which diminishes with age, is being squandered. Parents want their children to learn English at school because without it they will be at a tremendous disadvantage in commerce, in citizenship, on the internet, and in many important aspects of American life.

The U.S. Department of Education identified 3.5 million LEP students in 1996, an increase from 2.1 million in 1990. Three-quarters of them are Spanish speaking, which is why bilingual is widely perceived as an Hispanic issue. The next three most common languages combined Vietnamese, Hmong, and Cantonese, are spoken by less than 8 percent.

Much has been written in recent years about the challenges facing America's Hispanic young people. The 1997 status dropout rate, those not enrolled in school and who have not completed high school among Hispanic 16 to 24 year olds, was 25.3 percent as opposed to 13.4 percent for African Americans and 7.6 percent for non-Hispanic whites.

The annual, or event dropout rate, according to the Department of Education, which describes the proportion of students who leave school each year without completing a high school program, was 9.5 percent for Hispanics in grades 10 through 12; 5 percent for African Americans; and 3.6 percent for whites. Bilingual programs share a common reliance on segregated instruction in students' non-English native language.

Advocates of bilingual education, emphasize that in their view children acquire English more smoothly when they are first thought to read and speak in their native language. As a result, students remain in these programs for 7 or 8 years or even longer. But the reality of the situation is that they generally learn English more slowly later and less effectively than their peers.

Over bilingual education's 30-year history, the Department of Education has intermingled the goals of learning English with such tangential concerns as multicultural awareness and cultivating higher self-esteem among students. My own review of title 7 bilingual grants has produced examples of such funded programs as the Rocky Boy School District in Montana's Summer School on Wheels field trip to the rain forest of Costa Rica to offer LEP students new experiences.

The Title VII grant report explains students gained valuable insights into rain forest animals, volcanoes, and other aspects of life in other countries. The Takini School in Howes, South Dakota, is developing educational software for students to use to develop written proficiency in Lakota (Sioux).

Lakota is an oral language for which no standard orthography exists, so one had to be developed. It is not my intention to deride the value of promoting cultural awareness, but it should not dilute a program that Congress clearly intended to promote rapid acquisition of English. And native languages can be preserved at home without causing children to fall behind academically.

There are many policy prescriptions which could help America's millions of English learners. I respectfully suggest that the committee begin by considering the following three measures: let parents choose how their own children learn English and require written consent before placing a student in bilingual education. The Parents Know Best Act, proposed by Congressmen Salmon and Tancredo, would be an effective step towards achieving these modest but vital goals.

Safeguard the right of parents who have their child immediately removed from bilingual programs upon their request; and, third, limit the amount of time students spend in bilingual programs to 3 years or less.

Secretary of Education Riley testified in February that school districts would be held accountable for ensuring that LEP students reach the 3-year accountability goal as part of ESEA accountability provisions. Such accountability would have a significant effect on how much school districts teach English.

Today's bilingual education program such as those I have described, while designed with noble intentions, seem less concerned with successfully providing our English learners with the language schools they need than with striking a posture of concern after continuing to fail. Would we not be better off to subscribe to a bold vision of an America where everyone succeeds, than to risk promoting failure by renewing such faulty programs? Thank you.

Chairman Castle. Thank you, Mr. Soifer.

[The statement of Mr. Soifer follows:]

WRITTEN STATEMENT OF DON SOIFER, EXECUTIVE VICE PRESIDENT, LEXINGTON INSTITUTE, ARLINGTON, VIRGINIA – SEE APPENDIX E

Chairman Castle. Mr. Ayala.

STATEMENT OF MR. HECTOR AYALA, DIRECTOR, ENGLISH FOR THE CHILDREN, TEACHER, TUSCON UNIFIED SCHOOL DISTRICT, TUSCON, ARIZONA

Mr. Ayala. Good morning. My name is Hector Ayala. I am very glad to be here. I am honored to be here. In fact, I thank Congressman Salmon for having invited me to testify. My name is Hector Ayala, and I have taught English, including advanced placement English for the last 12 years at Cholla High School in Tuscon, Arizona. I am also codirector of a group called English for the Children-Arizona, an organization designed to abolish bilingual education in that State.

I also was immigrated into America when I was 9 years old, and I was actually submerged as opposed to emerged because for the first 2 years in elementary school, I had Anglo teachers who spoke absolutely no Spanish. And I am here to provide some rationale for having started the organization and what it is, what it was that finally moved us in Arizona to do something about bilingual education.

To make a long story short, bilingual education can mean several different things to several different people. It depends on who you talk to. In fact, that I believe is one of its main drawbacks. One of the common mistakes people make is to confuse bilingual education with making kids bilingual.

Bilingual education does not provide bilingualism. When bilingual education started out in 1968, it began with a focus of teaching non-English speakers the English language as quickly and as well as possible. Since then, bilingual ed. has been taken over by political groups bent on indoctrinating young children into their political agendas, the Spanish language, the Mexican culture, Mexican history, which are, in fact, what is being taught in most bilingual education elementary schools, at least in Tucson and Nogales Arizona.

The result has been that bilingual education has then turned into native language instruction for all Hispanic students, often for up to 7 years, to the detriment of these students' success.

Among the several bilingual education theories, the most popular one has been what Canadian researcher Jim Cummins and others of his ilk have espoused, which is that children must be taught in their native language and slowly weaned into the English as they become more academically proficient. Now these researchers claim it takes children anywhere from 7 to 10 years to learn academic English adequately, for this plays right into the hands of separatist political groups and their agendas since it forces Mexican children to retain their Spanish, again, at the expense of not learning English.

The argument of Jim Cummins and these people is that nonnative children must have a command of academic English before they can be taught in English. But one doesn't teach academic English. A child develops academic English by doing academics in English. What they say is equivalent to saying that a child cannot become a concert pianist until he can play piano like a concert pianist. We must not allow him to play the piano until he can play like a concert pianist.

All a child really needs to develop is enough proficiency in English to understand what the teacher is saying. He can then develop the academic English with experience in the classroom, but not if he is taught in his native language which, as I said, is what is currently happening.

In the meantime, our Hispanic children do languish all those years in bilingual education classrooms only to discover not only have they not been prepared academically but neither has their English progressed.

As high school teacher in a bilingual feeder pattern, I have experienced what many of my colleagues in similar positions have experienced by freshmen students who come through a feeder pattern coming in reading in about a fourth grade reading level. Every year we receive about 640 freshmen students in our high school; 4 years later around 200 graduate.

The experience of 12 years that I have has shown me that these students drop out because they find themselves tragically challenged in their ability to speak English or do academics, both of which bilingual education claims they teach better than anyone.

One of the principle ironies is that the movement in favor of bilingual education is generally limited to bilingual ed. educators. The movement was neither started nor continued by the desire of Mexican parents to make their kids bilingual, which bilingual education cannot do any way, as I said already, but by Anglo university professors and perfectly assimilated professional Hispanics who never went through bilingual education themselves, but now they feel perfectly secure that this is a program that must be thrust on all Mexican parents and their children regardless of what their opinions are.

Our organization, English for the Children, first, decries the ineffectiveness of a system that is generally undefined, arbitrary, and capricious. More often than not it has become patent racism. Children placed in bilingual education classrooms without their or their parents' consent or knowledge. Often monolingual English-speaking children are placed in bilingual ed classes where they are taught in Spanish simply based on their Hispanic surname. And generally when parents do find out their children are in bilingual ed classes, they are not allowed to remove these children from these classes. Thank you.

Chairman Castle. Thank you. We appreciate that testimony as well.

[The statement of Mr. Ayala follows:]

WRITTEN STATEMENT OF MR. HECTOR AYALA, DIRECTOR, ENGLISH FOR THE CHILDREN, TEACHER, TUSCON UNIFIED SCHOOL DISTRICT, TUSCON, ARIZONA – SEE APPENDIX F

Chairman Castle. The time has come now for those of us who are Members here to ask you questions. As I said, we have a 5-minute rule on that as well. So we've got to sort of speed through all of this. I will start it off.

Dr. Farley I would like to ask you -- I will tell you what my goal is. My goal is to educate every young person as well as we can in America. And obviously when you deal with people who are speaking another language other than English, which is normally the language used to educate our children, you automatically have a problem. I want to judge what is the best way to go forward. I come into this with a clean slate. I don't have any preconceived notions as to what to do. But I don't know if I totally understand some of the changes, and I would like to talk to you for a moment about Prop 227 in California.

If a student was a Hispanic student, a young elementary school student, second grade say, before Prop 227, how would they have been taught, specifically, and how were they taught after you put into motion the impact of 227? If you could do it briefly. I know that could be complicated.

Dr. Farley. And that isn't a simple question either. To some extent, it would depend on the availability of bilingual teachers. But in ideal conditions to meet the various requirements of Federal and State law, a child would receive instruction in a language-segregated setting in his fluent language.

Chairman Castle. This is before 227?

Dr. Farley. Yes. So typically -- let's take a school where I was principal. We had 16 classes that were taught by bilingual teachers who were credentialed bilingual educators. Instruction was predominantly in Spanish because we focused on their development of content knowledge. And for about 45 minutes a day, they had English as a second language.

After Prop 227, the state permitted us to continue to segregate those students for 1 year only, but their instruction had to be exclusively in English. So those same 16 classrooms, about half of the school where I was, the teachers came back in September of 1997 and began teaching only in English.

Chairman Castle. You indicated that the test scores rose dramatically. I assume you are talking about the test scores of the non-English as basic language students, which rose dramatically. Is that documentable, or is it early, too early to really be documenting that?

Dr. Farley. Our test scores were literally released this week. So we don't have the kind of data that we will ultimately have. But the increase in scores was absolutely phenomenal. It surprised all of us. I mentioned that I actively campaigned against prop 227. And these results have forced us to reexamine our notions about the potential of children to acquire English rapidly.

I mentioned that in some grade levels we had as much as a 450 percent increase in achievement. And we ran the scores in every conceivable figuration to see if there was something that would say that these weren't accurate. We used matching scores; we used year-to-year scores. We took groups of kids and tracked them. And the scores were just off the charts.

Chairman Castle. Ms. Bujanda, almost the same questions but in a personal experience in your case because you indicated you were in Texas for 3 years in bilingual education, and then you went to Dallas, I guess, into somewhat more of an immersion program. Can you tell us the difference in the education in which you felt you weren't learning English and then what happened when you to Dallas?

Ms. Bujanda. Sure. I lived in El Paso for 3 years before we moved to Dallas; and when I lived in El Paso, my education there was all in Spanish, basically. I had very little English, English instruction for 3 years that I was there.

When I moved to Dallas, I struggled for the first -- I would say I didn't speak English fluently or completely fluently until I was in fifth grade, and at that point, I got up to grade level, but definitely when I moved from El Paso to Dallas, I did not speak English like I should. I maybe understood English, but I certainly did not speak it.

Chairman Castle. What happened in Dallas? How did they teach you?

Ms. Bujanda. It was all English. I got immersed.

Chairman Castle. This was not necessarily aimed at you as somebody who had come from Mexico, it is just that they taught in English, so it was an immersion?

Ms. Bujanda. Yeah. I was in a class with all English students, and at any point when I needed help, the teacher would help me on an individual basis: and if I didn't understand the concept, she would come and share that.

Chairman Castle. So it was a question of swimming or not, in other words.

Ms. Bujanda. Right.

Chairman Castle. You were there, it was English, and you had to do it or you were going to be in trouble.

Ms. Bujanda. Exactly. And I am not psychologically traumatized by the experience. Nothing happened. You know, everything was fine. I think if students are given the opportunity, Hispanics, there is no reason why we cannot do this, absolutely no reason. All of us are just as capable as anybody else.

Chairman Castle. Well, I thank you. I might mention that the person asking the questions was not a particularly gifted language student. And that is why I am interested in how people learn languages.

Ms. Bujanda. I don't think that I am gifted, to be quite honest. I think any student would have been perfectly capable of doing what I did.

Chairman Castle. Thank you both. I have other questions, but my time is up so I am going to go to Mr. Hinojosa now.

Mr. Hinojosa. Thank you, Chairman. Ms. Bujanda, your presentation was very interesting, one that I can identify with because the area that I come from have lots of children of immigrant Mexican parents.

Ms. Bujanda. Yes, sir.

Mr. Hinojosa. I happen to be one. May I ask you a question about your family's income. Would you say that it is at 20,000 below or 20,000 above, so that I can more or less see where your family was at the time that you were going through elementary school?

Ms. Bujanda. It was below 20,000, way below.

Mr. Hinojosa. Below.

Ms. Bujanda. Way below. My story is a story of a typical Mexican immigrant family who was not making it in Mexico.

Mr. Hinojosa. Well, you were a standout. You were a standout because we usually have some children -- whom a farmer explained to me the difference between his three sons. He said they are like some of my tractors. Some I can just turn the key and start them up like this. Some other tractors I have to turn it once and let go; I have to start it again a second time and sometimes even a third time before they start up. Some learn faster than others was the message that he was giving me, and you evidently are one of those that started up like that.

Ms. Bujanda. Well, I understand the analogy, but I think that that is the case with any immigrant, whether you be Anglo or Japanese or Italian or whatever immigrant you are.

Mr. Hinojosa. Let me tell you why I have some differences in my thinking after listening to your presentation. What I found in the years that I have went through school and the years that I -- 25 years that I served in policy making for education, is that the reason that we have such a high dropout rate amongst our Hispanic students in high school is very complex. It can be economics. It can be the fact that we have so many teachers who are not trained, nor certified to teach bilingual education in those schools. It is also because the schools are so different and the inequity of the amount of money spent in those campuses can be so drastic.

I personally went to a segregated school in Little Edcouch, Texas, and the elementary school that was two blocks from my house was lily white with the student population; and the student population where I went was all Hispanic, every single one, but the differences in the schools and the differences in the teachers and the differences in the equipment and the tools and the textbooks and everything that was available was drastically different. Here we are and here are the Anglo children. So this happens to be common throughout the United States.

In the last study done and ordered by the United States Senate -- and it was entitled "No More Excuses" -- we now know why the children fail. Now, let's do something about it, and in listening to Mr. Soifer, I heard you say that you made some strong recommendations on what we should do here in Congress.

But you know, you failed to even mention that in order to reach LEP students that we must have this panel, this education committee, recommend to the whole Congress to spend more money on teacher training and certification so that they can, in fact, relate to limited-English proficient students.

You did not talk about those differences that exist in what is available such as computers, for example, in some of the campuses, elementary campuses especially, where we have such large numbers of limited-English proficient students.

Sometimes in the schools that I have visited, there is one computer for every 50 students, sometimes one computer for every 100 students. Yet I go to the more affluent school districts, and there is one computer for every 10 students.

All this to say that there are many inequities and it is not the parents, as Ms. Bujanda was talking about, how difficult it is for them to decide whether they should be in bilingual education or withdraw them. I sympathize. I think that if a parent wants to take their child out, they should be able to do it, without 2-1/2 hours; but again, I honestly believe that parents -- we are not spending enough money in parental training so that they can understand the report cards so that they can talk to the teachers and be able to understand a lot. We are failing in that regard.

Ms. Bujanda. Well, I think you are right, but that is one issue. I think that you should, in my opinion, you should take a look at two issues then. What we should look at is we should look at the children as one aspect and at the parents as another. It is much more difficult for adults to learn another language, obviously. When I moved here, when my parents moved here, they obviously moved here because they wanted an opportunity for their children. It was too late for them. They were not going to go to college. They were going to work 60, 80 hours a week, 7 days a week for us to have the opportunities, not for them to have the opportunities.

In which case, you know, that is one of the problems, many parents just work too much and are not able to help their children on top of that they don't speak English.

If we're looking at it the way you are looking at it, then we should have programs for parents to help those parents in Spanish and help them understand how the American system works, what SATs are, ATPs, what kind of classes their kids needs to take in order to get into the college, et cetera; but if we are looking at the student aspect, what we need to concentrate on is we need these kids to speak English well, not a combination, not a hybrid of English and Spanish. English well in order to succeed. I am very proud to be Hispanic. I am very proud to be a Mexican American. I am very proud to speak Spanish well.

Mr. Hinojosa. Thank you, Ms. Bujanda. Mr. Chairman, I want to close my portion. I know I have to give time to others to ask questions, but Dr. Hatton reported to you that in Texas where you come from that we have been very successful in many of the exemplary programs that we have throughout the State where we have certified teachers, where we have trained them and invested in them. And the statewide results of the Texas education agency show that in the third grade former LEP students performed very well in math; 62 percent passed; 76 percent passed their reading.

And so obviously there are some good things happening in the State of Texas with bilingual education programs, which are indeed working the way they are supposed to; but until we invest, until we invest in training and certification of teachers and in giving them the tools and the computers and the things that they need, I don't believe that we are going to be able to have the fast increase in number of students that will stay in school and graduate.

Thank you, Mr. Chairman.

Chairman Castle. Thank you, Mr. Hinojosa, and we will go to Mr. Salmon.

Mr. Salmon. Thank you. My first question I would like to direct to Mr. Soifer. You referenced a piece of legislation that Mr. Tancredo and I have introduced called the Parents Know Best Act, and it would protect the rights of parents by requiring their consent prior to the placement of a child in any bilingual program that receives Federal funds.

It also requires the immediate removal of a child from a bilingual program upon the request of a parent. How often are students placed in bilingual programs without their parents' knowledge or consent, and then how difficult in your experience has it been to get those children out of the classes once they have been placed?

Mr. Soifer. Well, Mr. Salmon, what you have mentioned, and what you have in the past as well addressed so eloquently, is a real concern in Arizona, but also around the country. We also need to keep in mind that the parents themselves are very often immigrants whose command of the English language may not be there at all, as well as their understanding and the comfort level in dealing with their schools, with the authorities and their children's schools.

So I have come across, in speaking with teachers and bilingual administrators in school districts around the country, many of them in Arizona, an attitude of where they believe that we as the bilingual authority know what is best for the kids; and the parents, although they might be asking the kind of good questions, might not know in fact what is best for their kids, and this is an attitude that I have encountered speaking with people in New York and in Arizona and in many other places around the country. This is very much a valid concern that I think your legislation addresses quite effectively.

Mr. Salmon. Thank you. Mr. Ayala, what has been your experience on the same issue? Have you talked to parents who have complained that their children have been placed in bilingual education without their knowledge or consent, and has it been difficult to get them out of bilingual ed. if they want?

Mr. Ayala. Absolutely. Since we started the organization last June, we have been enlisted by several parents who want their kids removed from bilingual education but haven't been able to do so, and traditionally what happens is they go down to the school, and they ask the teacher and the principal to please have their kids removed. The parents are then showered with research that very few people understand, about the efficacy of bilingual education, after which -- a parent is generally timid on approaching the school -- a Mexican immigrant parent is much more timid.

So what essentially happens, the parent walks away without having accomplished anything, but our organization has been called to help them remove children, and we have done this a good 10 times, I believe, around 10 times already. And what happens then is when we walk in, we are greeted by the teacher, the counselor, the principal, and the district Bilingual Education Director so that they can help the parent make a decision; and we eventually have to put our foot down and say he wants out, get him out. And it is not until then that the kids are gotten out.

Of course, in the process we also have to help the parents draft a letter, make three copies, and send them to three different departments.

We also found in canvassing the Mexican American neighborhoods in Tucson over the last summer we must have spoken to 500 or more families. Only two people that we spoke with agreed with bilingual education. One of them was a father who didn't speak any English, but he was sure that his daughter spoke perfect English. So he wanted her to remain in bilingual education so that she could better her English still.

Mr. Salmon. So you're saying out of 500 families that you canvassed, you found only two people that were positive toward bilingual education? And these are all Hispanic families?

Mr. Ayala. All Hispanics. This mirrors a couple of other incidents. One of my students at Cholla High School also writes for the school newspaper, and she wanted to do some investigative work because of who I am. I am the director of English for the children. I was also her teacher, and she found upon interviewing about 20 teachers around the Tucson area that even if the bilingual teachers were angry at what bilingual education had become -- and it had not become the teaching of English, but it had become an establishment that refuses to teach anything in English; that refuses to teach oftentimes American history, they teach Mexican history instead, and it is a system that is decidedly against any form of evaluation.

I mean, we evaluate every other educational program in some way or the other, but these people tend to say that evaluations don't work with bilingual education because bilingual education tends to teach things that don't necessarily show up on tests or so for the first year; that an Mexican immigrant is in America he is granted an exemption from taking a standardized test in English. The second year they begin to take standardized tests, and the results are exceptionally dismal.

Mr. Salmon. It is interesting because I keep hearing from the advocates of preserving the current status of bilingual education, that there is this big clamoring from the Hispanic community, from the parents themselves that they want bilingual ed. You are telling me that out of 500 families you canvassed, two want it.

Mr. Ayala. The biggest issue here I think is that we need to have somebody define what they think is bilingual education. I have noticed that most proponents of bilingual education tend to define it as what we would like to happen, which is immersion. Technically, any system that uses a foreign language to teach as minimal as that intervention is could be considered a bilingual approach, because you use two tongues, two languages; but what has actually become bilingual education is native language instruction.

There are many different opinions of what bilingual education, capital B, capital E, actually is. I think that is one of the biggest problems here.

Mr. Salmon. Thank you. I know my time has expired.

Chairman Castle. Thank you, Mr. Salmon. Mr. Payne is next. No, I am totally wrong about that, Mr. Payne. I apologize and I am going to get in trouble with everybody. Ms. Woolsey is next.

Ms. Woolsey. Thank you very much. Thank you. This has been a good panel, Mr. Chairman. Dr. Farley, as a principal of a California school -- I don't know if you read the report yesterday that came out, the study about how the smaller class sizes in California schools have impacted test scores. There was an initial study, and the results of the smaller class sizes have resulted in a lot of uncertified teachers in the classrooms.

So it was clear people needed to find out how this was working with our test scores; and lo and behold, smaller class sizes, thank heavens, do prove themselves to work with better test scores of at least around 2 percent, not a lot but some, but in the urban middle to higher income districts and schools.

For the low income schools, with most of the minorities and Hispanics and blacks, the test scores slid backwards, and in looking at why, the study looked into where the uncertified teachers were going. They are going to the poor schools, the poor school districts. That is outrageous. It wasn't the intention, I hope, of the governor when he promoted smaller class sizes, but it is the results of what we have done.

What has this done to the limited-English proficient students? How would you respond to that? I mean, how in the world can we have 1-year immersion when we don't even have certified teachers? Where are they with their bilingual skills themselves? Can you respond to that?

Dr. Farley. Well, I haven't seen the report that you referenced, but I would say that a number of factors contribute to a classroom's success or a school's success, and it isn't only class size. I could speak from the perspective of being a principal at a school of 82 percent poverty, 52 percent limited and non-English speaking children, and our students are scoring at the above-average range when compared to all students nationally.

Ms. Woolsey. Well, let me just ask a question here. What percentage of your teachers are certified?

Dr. Farley. Actually, coincidentally, I have five or six of 47 teachers who are not credentialed, who are intern teachers who were placed in classrooms because of the very thing you mentioned, class size reduction. And it was very interesting to see that the lack of that formal training had virtually no impact on their quality of instruction, and in some cases, my untrained, inexperienced teachers, were better instructors than those who had full credentials. So I don't know that we could make an argument that the lack of achievement in those class size-reduced classes was because of the intern teachers.

The other thing that I think I would like to have stated here for the record is you are looking at Title I and reauthorizing Federal funds for education, and one of the things that I found very successful in our own district was going through a process of restructuring those moneys because too many of the school districts--.

Ms. Woolsey. Well, if you would let me --

Dr. Farley. Can I finish my sentence?

Ms. Woolsey. Finish, and then I want to talk about bilingual education.

Dr. Farley. My point is much of that money is directed to personnel and experiences that are not directly related to instruction, and we found a lot of success with making sure those funds go right into the classroom for improving classroom inventory and materials.

Ms. Woolsey. I appreciate that. I think you will want to go back and see how your students compare with this report. It is devastating. It is outrageous.

I want to ask Ms. Bujanda.

Ms. Bujanda. Bujanda.

Ms. Woolsey. See, I am totally not bilingual. I think every single student in this country should be bilingual. I am so embarrassed at how little I can say in any other language, and I really compliment you; but you know, have you thought that maybe if you hadn't had those 3 years, you wouldn't have been able then to be immersed into a school? I mean, you are a very bright woman, absolutely -- and I am sure you are a bright student -- but those 3 years had to have some effect and impact on you.

Ms. Bujanda. I am sure that they helped. But I think that by that time I should have spoken more English than I did.

Ms. Woolsey. I can appreciate that because nobody would know better than you what you should have known, but that had to be helpful. So thank you. I have used up my time.

Chairman Castle. Thank you, Ms. Woolsey. Mr. Petri.

Mr. Petri. Thank you very much. I appreciate all of your testimony. It is fascinating to discover that we have been ships passing in the night sometimes when we use the phrase "bilingual education." Can I ask you all what you think of native language instruction? Is that a good thing or a bad thing? Should we prohibit it? Should we make it clear that it must be primarily in English and then there can be transition efforts, or should we give people the option of native language instruction as far as this Federal program is concerned?

Dr. Farley. Well, I think we have all stated that being bilingual is an absolute asset for all children, and I do think it is very important that children have an opportunity to develop appropriate first and second language schools so, yes, we do support that.

I think Mr. Ayala spoke very eloquently about the bill of goods that we have sold parents about the real nature of bilingual education. It is not bilingual; it is monolingual. And so our goal will be ultimately to develop truly bilingual children who are proficient in reading, writing, and speaking two or more languages. That does not occur now.

Ms. Bujanda. I don't think that native language instruction in the elementary school level is a very good idea. Perhaps if, you know, somebody immigrates and they are 15 or 16, they would need it more, but somebody who is 5, 6, 7, 8 years old. I think they are perfectly capable of picking up English without having to use their native language, but I think Dr. Hatton or the others are more qualified to answer this than I am.

Dr. Hatton. Thank you, Ms. Bujanda. I want to remind all of us that the goal of bilingual education is to help students acquire proficiency in English. At least I can talk about the programs that I am familiar with in my region, and we offer both native language instruction and English instruction in a two-way bilingual program, and we do that in an inclusive environment where we do not segregate -- and I have heard that term used a lot today -- our English-proficient students from our English monolingual learners, but rather, we combine them in an inclusive environment.

Both languages are used to promote the bilingualism that we are after for all children, and so I absolutely believe that native language instruction for LEP children is appropriate. I believe that it must exist in an inclusive environment; that English must also be a critical part of that curriculum, and that is why I think we are making huge strides in Texas, because we have a very visionary governor and commissioner of education.

They have added rigor to our accountability system for our bilingual programs where we are assessing the students' academic achievement gains in their native language; but at the same time we are administering a reading test of English proficiency to monitor their progress in English, because our result of expectation is that a result of participation in the program will be that the student will have proficiency in two languages and will have success in academic content in two languages.

Mr. Ayala. I think we must first decide on what we mean by success for these Hispanic kids who are the majority that comprise bilingual education, and once we define what we want for them as far as success is concerned, can we achieve it through native language instruction. I think it is also very important to tell the public that that is what you will be doing, native language instruction, and then let the public decide whether they want this or not. I know that Mexican immigrant parents don't want that.

Now, if they feel that through native language Spanish instruction the kids are being successful, given the definition of success, it certainly hasn't shown up in any test score that I have seen. The last year's test scores, for example, in the Tucson area placed at the lowest, level of the lowest scoring 25 elementary schools, 23 were bilingual education schools. The last 18 on the list were bilingual education schools. The lowest 10 scoring middle schools were bilingual middle schools. The lowest three scoring high schools were at the end of bilingual feeder patterns.

This doesn't show even a trend or a tendency towards success regardless of how you measure it. There is, in fact, a principal in one of the elementary bilingual schools in Tucson who has said openly that there will never be any English-only classes in her school; that the moment our initiative passes, she is going to open a charter school where she will teach in the native language, which is fine; but she will then advertise the fact that it is native language instruction which she is not currently doing.

Currently, she claims to everyone that the kids are learning English; but what happens, after the fifth grade, the children leave to some middle school, sometimes far away. The teachers and the principal at the elementary school wave good-bye to them. They never realize what becomes of these kids after they leave the fifth grade and go to middle school, but I see what happens to them. As I said, 600 kids come into my school every year, and 200 graduate four years later. That is ridiculous.

Mr. Soifer. I believe that if a local education provider feels that they want to allocate the resources for native language instruction and if it is the choice of parents to have their children participate in those programs, then that would absolutely be fine with me.

But under the current system where the Federal Department of Education and the Office of Civil Rights are so aggressively advocating the native language instruction approach, and parents so often complain that they don't have the opportunity to have their kids learn English in school at an early age, I find this problematic. And this is what I think we should be addressing as well.

Chairman Castle. Thank you, Mr. Petri. And now it is truly Mr. Payne's turn.

Mr. Payne. Thank you, Mr. Chairman. I just have some basic questions. I understand that there seems to be some problem with the parents in the existing title 7 program in knowing that they have a right to decline bilingual education. Could someone kind of clarify for me because it seems to be the gist of this discussion? Would someone like to talk? Anyone have any problems on choice in your districts or feedback that you have gotten in general?

Mr. Soifer. Mr. Payne, it is important to remember that the movement to effectively end bilingual education in California began when parents in a Los Angeles barrio got together and decided they were tired of having school officials ignore their complaints and requests and pleas to have their kids given the opportunity to learn English, and in protest, held their own children at home from school until somebody listened, and I think that is important to keep in mind.

Mr. Ayala. I wonder if the Mexican American, who is the only group of immigrants who are not allowed to impart their culture and language in the home, for whom it has been found that the most efficient way to do that is by propagating it in the public schools. This is something a lot of parents resent, and I can see why.

Other parents we have spoken with, with the exception of those two, understand that there is a tremendous support system in the area they live in, that it wouldn't matter what language they were taught in, they would never lose their Spanish. Imagine the absurdity of a group like mine trying to eliminate Spanish and trying to eliminate the Mexican culture. That would never happen. That support system for the maintenance of the culture and the language is so immense that even if we did try to eliminate these things, it would never happen.

So I wonder why it is the public schools feel it necessary to supply this ethnic group with their own culture and their own language when it doesn't do it for anybody else.

Mr. Payne. Well, let me try to get a better fix on this. Then it seems like what is lacking is perhaps the well-run programs. I am not so, you know, I am not so sure it is either or. I know if I came to a school and I was a youngster and I don't understand the language, I would certainly feel more comfortable when they said good morning and I knew what they said, than say, you know, buenos dias. Rather than good morning, I would know that they were greeting me.

So it would appear to me that the answer might be what the real balance, what the truly trained teachers, what the resources are. All children don't learn the same. Kids who are born Anglos, you know, that go to school, as we all know, there are different levels of learning and so forth. So this one-kind-of-mold-fits-all, I think, is probably the worst approach.

But is there a feeling that there is perhaps not a good balance or enough resources is not put in? I think perhaps if a child is being taught in Spanish until he becomes somewhat proficient in English and then to be taught -- I don't -- has there been any research as to what is the right balance? Immerse kids only in English when they come in speaking another language, do you think that is the answer or segueing them in or -- anybody want to touch on that? Yes.

Dr. Hatton. There is an abundance of educational research on the merits and also on some of the fallacies or the negative aspects of bilingual education. The national Clearinghouse for Bilingual Education right here in Washington D.C. publishes a tremendous amount of material on the evaluation of title 7 programs.

All children are not alike. All children do not learn at the same rate. That is why I have a tremendous difficulty with saying there should be a cap on the number of years that a child participates in any program, bilingual education, special education or gifted.

My background is in working with deaf blind children, and I cannot conceive of putting a time limit on the amount of special intervention and support that those children would require in order to continue to make academic gains. I shifted from deaf blind education to gifted education, and I see the same difference.

We absolutely must look at children as individuals. We must look at what their needs are. We must be prepared as a public education system to allocate the resources that they need and the programs that they need to be successful; and yes, we understand that the goal is for them to be successful in English.

I do not believe that it is a deficit to those children to also have proficiency in academic content expertise in another language. And why not enrich and nurture the language that they bring with them from home if it is already other than English?

And I absolutely disagree that in a bilingual program our curriculum is on Mexican history and on the culture of Mexico and on the ways of Mexican people, but I do believe that in this country we must teach across our schools a curriculum of ethnic pluralism, a curriculum of tolerance of differences; and I think one way of doing that is by enriching the curriculum and making it culturally responsive and culturally sensitive to all of the groups of children who are represented in our classrooms.

Mr. Payne. Thank you very much. I would just conclude by saying I couldn't agree with you more. I grew up in a predominantly Italian American neighborhood as a young boy. The young Italian kids were almost restricted from speaking Italian, and now they are very sad that they didn't retain their bilingualness because they are older, grandparents and old aunts, many of them just spoke Italian.

And so I think that there is a tremendous amount that could be gained by keeping -- certainly retaining your previous language -- linguistic skills but also of course learning the new language. I think the old melting pot concept, you know, sounded good; but I sort of talk about the mosaic where everybody can retain their individuality.

A stained glass window looks even prettier than just a bland one. So you know I don't think we ought to -- I guess what I am trying to say is that I think the ethnic pride is very important, and I think it should be retained and maintained. It doesn't make you less American, and if you can speak Spanish, that doesn't make you a bad American because I can't understand it.

I find that a lot of my friends, Anglo friends, get disturbed when people speak a foreign language, and they get angry because they don't understand the language and maybe they think they are talking about them, but if you are uncomfortable, then learn the language.

You know, we have had some cases where a salesperson was fired because they spoke Spanish to another person in Spanish, and that was against company policy at some department stores in some areas where they had large numbers of Spanish-speaking people.

So I think that the paranoia goes a little bit too far, in my opinion, and I too am trying to learn a little more Spanish myself.

Chairman Castle. Thank you, Mr. Payne. We are going to go on to the next Member, Mr. Tancredo.

Mr. Tancredo. Thank you, Mr. Chairman. I am trying to do my best to learn a little more Italian myself, having grown up in that same kind of environment that Mr. Payne just identified, a completely Italian neighborhood, and a completely Italian family; but it was my responsibility and my parents' responsibility to pass on the aspects of my culture. They did so. I retained them. It had nothing to do with the public school. It was not their responsibility.

I learned about America in the school system that I went to. I learned about American history. I retained the aspects of our culture which I still love and enjoy as a result of what my family did and what they passed on to me, and I think that is the appropriate place for that to be passed on.

A couple of questions. Dr. Farley, you have heard the questions from Members of our Committee here that would indicate that your testimony said so many students remained in the bilingual setting for 6 or 7 years and still had limited proficiency in reading, writing, and speaking the English language.

You have heard comments from folks on the other side there who indicate that that is the result of a lack of resources. I think somebody said that it was because there weren't enough qualified teachers, enough computers, and that the funding per pupil perhaps was lower than any other school or you were not getting what you deserved.

Let me ask you, sir, you have already answered the question about qualified teachers. What about the rest of it? Are you underfunded compared to the other schools in your area and the schools in California?

Dr. Farley. That is a good question because that gives me an opportunity to explain something that I think is pretty unique. We have 25 schools in our district. They include high-income neighborhoods and low-income neighborhoods. The paradox is because of the abundance of Federal and state moneys for low-income communities and schools, the low-income schools ultimately have much more money to put behind instruction than high-income schools.

I was principal at a low-income, and we literally spent $6,000 per teacher or $252,000 this school year just in instruction materials for the classroom. The school 10 miles across town on the hill had approximately $350 per teacher, and think of us as the rich cousins from across town. So that argument does not hold.

I think the focus of what you spend those moneys on in making sure that you direct the Federal and State funds for underprivileged children to instruction and not the fringes that will not improve instruction is the key.

Mr. Tancredo. Thank you. Dr. Farley, I am also just fascinated by what may be the response, if there has been enough time to get response, from your colleagues around the country as a result of the kind of situation that has developed in your school and the paradox that maybe you present to many people, your peers around the country.

Dr. Farley. Well, as I mentioned earlier, we are getting quite a bit of attention, but we are just as amazed as some of the media that has contacted us. We hope that our children would improve. Many of us campaigned against Prop 227. We did not expect this level of improvement, and it really has forced us to examine a lot of our assumptions about education in low-income communities, the potential of children.

Mr. Tancredo. I yield to my colleague.

Mr. Salmon. Dr. Farley, would you consider moving to Arizona?

Dr. Farley. I got my doctorate from northern Arizona University.

Mr. Salmon. We could sure use you.

Mr. Tancredo. Thank you, Dr. Farley. I envy being in your situation because I think you will certainly be asked to comment on this quite a bit, and sometimes what people want you to say will not be what you, in fact, end up saying. I mean, I can just see the situation where your peers and your colleagues around the country may not be happy to hear what you have to say because they have an agenda, perhaps, that is different, perhaps it doesn't focus entirely on children, perhaps it really isn't in their minds, the issue of how quickly children become able to operate in the English language and how quickly they will be able to learn; and those are the folks that are going to be very disgruntled with your situation.

Yes, sir.

Dr. Farley. I guess the primary lesson from this is about the resiliency of children, be they in low- or high-income communities, and just their incredible potential for learning.

Mr. Tancredo. Thank you, Dr. Farley.

Chairman Castle. Thank you, Mr. Tancredo.

And Mr. Kildee, the Ranking Member, is next.

Mr. Kildee. Gracias. Thank you, Mr. Chairman.

Dr. Farley, you mentioned that you didn't find any measurable difference between having certified or qualified teachers and those who are not. I find that hard to imagine. I know California has 30,000 uncertified teachers. I am sure -- actually, California has some bus stop teachers, picked up at the bus stop and taken into the classroom.

I find it -- I am a teacher. I have taken this long sabbatical in politics now for 35 years, but I cannot imagine how an uncertified teacher was doing as good a job as a certified teacher. California really has a serious problem with 30,000 unqualified, uncertified teachers out there.

Dr. Farley. I think that there is some characteristics about a good teacher that you would never learn in a university and that many of the teachers that we recruited that did not go through the conventional training had those characteristics, and that is what made them achieve as a beginning teacher. I would never suggest that we eliminate that process of training, but my own experience is that we had very big success with teachers who did not go through conventional training.

Mr. Kildee. I am sure there are some people out there with great characteristics who, you know, might want to practice internal medicine, but I would not want to go to a person for my stomach ulcer just because he had good characteristics. I would want him to have some training. I mean, education is not just the subject matter. It is how you impart. How do you teach a person to read? There are methods. I find it incredible that you say some, you know, bus stop teachers are as good as those who are certified.

Dr. Farley. Well, let's not mischaracterize my testimony. Maybe I should clarify it. I am speaking about three or four teachers who were not trained at one school. That can't be generalized to be 30,000.

Mr. Kildee. I am glad you clarified the record because there is 30,000. That is 29,997 then that we have to look at.

John McCain and I several years ago changed the direction of bilingual education by putting a preamble and the preamble is still basically there, and you mentioned it yourself, Dr. Hatton. We basically said that the purpose of bilingual education was to have the student achieve proficiency in English and then to use the native language so they would not fall behind in the other subjects. That is still basically the structure and purpose of bilingual education, is it not?

Dr. Hatton. Absolutely, sir.

Mr. Kildee. It is very important that they not fall behind in their other subjects. I have always believed -- I think we are learning more and more about reading, for example. We are beginning to -- development of the brain, as a matter of fact. I have two grandchildren, one 14 months and one 6 months, and the development of the brain itself, the physical development of the brain with regard to reading is extremely important, and the aural visual connections and the stimulus that takes place.

I have always thought that in the kindergarten through third grade or first grade through third grade that a student learns to read, and then from the fourth grade on basically they read to learn. I think that is a fairly good distinction, and if you get a 10-year-old coming in from another country and put in, say, the fourth grade, that person's mind is at the point they are really reading to learn.

The second part of that preamble that John McCain and I put together several years ago during one of the reauthorizations of bilingual education wanted to make sure that that student, while gaining proficiency in English, did not fall behind in math, history and science. So they really probably had to do some reading in their native language so they wouldn't fall behind.

Would you want to comment on that?

Dr. Hatton. Yes, sir. And I was speaking with Ms. Bujanda earlier about that. The region that I represent is located on the Texas-Mexico border. We have a large influx of immigrant students coming into our classrooms; and as I shared with her, they are not all as fortunate as she was or as I were that we have been in the American school system since kindergarten.

The largest percentage of our immigrant students coming across the border from Central America and Mexico into Texas right now are 9 and 10 and 12 and 15 and 16, but a significant percentage of those are unschooled. So they are still learning to read in order that they can read to learn, and if we do not provide them that native language support -- because that is the one background that they do bring to the classroom.

We are teaching 9, 10, 12-year-olds to recognize their name in print, to be able to read; and the fastest way to teach them to read is in their native language as we are also teaching them English because we don't want the content left behind. The old, the programs of old in bilingual ed. will teach them English, communication skills, speaking skills, and then later, when they have English proficiency we will teach them academic skills. We have learned we can't do that. We must teach academic content as we go through, and we use the native language to help move them as rapidly as possible.

Mr. Kildee. So those 10, 12, 14, 15 years old really have to learn to read and read to learn?

Dr. Hatton. Absolutely.

Mr. Kildee. That is why I really think it is important that we have the keenest of purpose to gain proficiency in English because it would be a terrible social failure and academic failure for a person to go through school and not have proficiency in English; but at the same time, we want to make sure they don't fall behind and not make gains in their other academic fields, science, history and math; and that is why we use the native language to make sure they do not do that.

Thank you very much. I appreciate it. I thank all of you.

Chairman Castle. Well, let me thank all the witnesses. We are going to bring the hearing to a close. I am going to say one or two things, and Mr. Kildee may want to say one or two things. This has been very interesting to me. I am trying to learn all I can about this. I am convinced it is important, not only in America, but even in this world today to be perhaps fluent in the English language. It is becoming more and more significant, and I think you all agree with that, too.

It is how we get there, that is where the stumbling blocks come in. I am not sure what the right answers exactly are. I thought it was interesting that you introduced the element that there is some confusion of what bilingual education is. I sort have always been confused of what bilingual education is. I am glad to hear those of you who have been involved in it are also a little bit confused about it. That shows that we all have to sort of figure that out too.

What I am interested in -- and I think the Committee Members are interested in -- is the right solution. We are not trying to do it one way or the other. We want to do it right for the students, not necessarily for the educators per se, but for the students to give them the best opportunity as far as their futures are concerned.

There is some disagreement about how to get there, but I think there is almost some commonality of how to get there that I heard today and we need to continue to work on this. We are looking at these programs right now, as you know. We do have your written statements. If you have other statements you wish to make, we would be delighted to hear them. There may be other questions that Members have, maybe some Members who weren't here, that they will want to submit in writing.

Mr. Hinojosa. Mr. Chairman, if you would yield, I would like to ask one final question before you finish with this panel. May I?

Chairman Castle. Yes, you may, but in a moment.

And we would welcome those answers as well. If you have other information, written or otherwise that will be helpful to us, we will be interested in that, too. We are trying to take a rather holistic approach to the best solution to this. So we do appreciate you being here.

I will yield to Mr. Hinojosa's request, obviously, for his one remaining question. Then Mr. Kildee may wish to make a final statement.

Mr. Hinojosa. Thank you, Mr. Chairman. I apologize that I had to go to another meeting and come back, but the question that I wanted to ask of this group, whom I believe are really, really committed to helping limited-English proficient students is, how do you feel about creating a national clearinghouse for dropout statistics of all students? Sylvia, Dr. Hatton, would you answer that question?

Dr. Hatton. In Texas we have the intercultural development research Association. They have very recently published a policy brief looking at dropout attrition rates of Spanish students in Texas. What their report concludes -- and there is quite a bit of controversy about the methodology used for the study -- but what they conclude is that the attrition rate for language minority children in Texas has increased so dramatically that it can be translated into a potential loss to Texas of $312 billion in lost income, in additional workforce development training, welfare, unemployment benefits and so forth; and this is looking at the data longitudinally over about 12 years.

It is dropout and attrition rates in Texas that are of a huge concern to us right now. I believe that we are not alone in Texas, that this is probably a national issue, and I would very much support some type of national attention on this issue, because otherwise it could have disastrous results and impacts on all of us.

Mr. Hinojosa. Thank you, Dr. Hatton. For California, Dr. Farley, do you think that that is possible?

Dr. Farley. Well, I guess I would want to know what the intent would be of that kind of an organization.

Mr. Hinojosa. To have statistics that are reliable because in Texas, as Dr. Hatton provided us information, are using different formulas in different school districts; and if you were to look at what the Texas education agency sent me for the dropout rate in McAllen, Texas, it was 3 percent. If you were to look at the information that Dr. Riley, secretary of Education, provided us as Members of Congress, it was somewhere between

30 and 40 percent. So why is there that big disparity? We need to have information that both the State and the Federal agree to, and certainly I don't see any central national clearinghouse.

Dr. Farley. So you are looking for some commonality in the reporting of data so that we could make accurate generalizations?

Mr. Hinojosa. Accurate and reliable.

Dr. Farley. And I would say that would be worthwhile if then the data drove some sort of innovation or improvement in those very dropout rates.

Mr. Hinojosa. Thank you, Mr. Chairman.

Mr. Salmon. [Presiding.] Thank you. Mr. Kildee, did you have any further comments?

Mr. Kildee. I just want to thank Mr. Castle for having this hearing and putting together an excellent panel. I think all of us, and myself included, will best serve the children when we set aside our ideological values on this and insert our pedagogical values. It is very important. I have been in Congress 23 years, and we have always seen a mix of ideology and good pedagogy in this, and I think we have to ask ourselves what is the best education for these kids. And I really appreciate all of your testimony this morning.

Thank you very much.

Mr. Salmon. Thank you, Mr. Kildee. I think that if there is ever a bipartisan issue, education is it. We are all very much committed to quality of education of our children. We want to see this country be strong for a lot of years to come. We would like to thank the distinguished panel for being here today, and this hearing is now concluded.

WRITTEN STATEMENT FROM THE NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION, WASHINGTON, DC, IS ON FILE WITH THE COMMITTEE ON EDUCATION AND THE WORKFORCE.

[Whereupon, at 11:30 a.m., the Subcommittee was adjourned.]

APPENDIX A - OPENING STATEMENT OF CHAIRMAN MICHAEL CASTLE, SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES, COMMITTEE ON EDUCATION AND THE WORKFORCE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, DC

OPENING REMARKS

THE HONORABLE MIKE CASTLE

Hearing on

EXAMINING THE BILINGUAL EDUCATION ACT

June 24, 1999

I want to begin by thanking you for coming to today's hearing. As you know, the title of today's hearing is "Examining the Bilingual Education Act." This is an appropriate title since it is our intention to examine current law and determine what changes are necessary to insure it is effectively providing limited English proficient children with the best possible educational opportunities.

The education of limited English proficient children is of growing interest throughout the United States as more and more school districts are faced with the problem of providing a quality education to children for whom English is not their first language.

I believe the word "quality" is the key. As the population of limited English proficient children increases, we need to insure that programs funded under this Act provide each and every child with the opportunity to achieve to the extent of his or her potential. An instrumental part of achieving this goal is insuring such children learn English as soon as possible.

I know that the debate over the years has focused on which method of instruction is most effective in helping limited English children succeed in school. However, I believe our primary focus should be on the children and allowing schools and parents the flexibility to make decisions regarding the instructional programs they will use to educate these children, based on the needs of the children themselves. We must acknowledge the fact that children learn differently and have different needs. Allowing schools and parents to make decisions regarding the education of their children places control in the hands of those individuals who know these children the best.

Currently the graduation rates of limited English proficient children are very discouraging. For example, in 1996, only 55.2 percent of Hispanic students graduated from high school. It is my hope that we can work together to support changes in the current Bilingual Education Act to insure that each and every child participating in programs funded under this Act is given the opportunity to graduate from high school and continue their education or enter the world of work.

I look forward to receiving the testimony of today's witnesses.

APPENDIX B - WRITTEN STATEMENT OF DR. JOSEPH FARLEY, PRINCIPAL, MISSION ELEMENTARY SCHOOL, OCEANSIDE UNIFIED SCHOOL DISTRICT, OCEANSIDE, CA

Statement of Joseph M. Farley, Ed.D.

Representing the Oceanside Unified School District of

Oceanside, California

before the

United States House of Representatives

Committee on Education and the Workforce

June 24, 1999

Introduction

Mr. Chairman, and Members of the Committee, thank you for inviting me to your committee meeting regarding bilingual education. I represent the Oceanside Unified School District in Oceanside, California. Our 25 schools and 22,000 kindergarten through twelfth grade students have received widespread attention since California voters approved Proposition 227, declaring English the language of instruction in California classrooms. The passage of Proposition 227 had major implications for our District, because 21 percent of our students are considered limited in English proficiency. While 20 different languages are spoken in our community, most of our non-English speaking children speak Spanish. The majority of these students also qualify for free and reduced school meals, an indicator of low family income.

Prior to Proposition 227

Prior to the implementation of Proposition 227, half of the District's English Language Learners were enrolled in so-called "bilingual classes." The

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availability of bilingual teachers determined how many students would be enrolled in these classes. Instruction was predominantly in Spanish, while students received approximately 45 minutes per day of English-as-a-Second Language. Textbooks, instructional materials and the District's standardized assessment test were in Spanish.

Students typically remained in bilingual classes from kindergarten through fourth grade and were declared English proficient by the sixth grade. However, many students remained in bilingual settings for six or seven years and still had limited proficiency in reading, writing and speaking the English language.

Implementation of Proposition 227

California school districts with large numbers of limited and non-English speaking students anxiously awaited the outcome of the June 3, 1998, vote on Proposition 227, also called the initiative for "English Language Education in Public Schools." At Mission Elementary School, where I am principal, 400 of the 820 students had been participating in formal bilingual education. We weren't certain how these kids would do in an English-only environment and many of our teachers were against the Proposition. However, our personal beliefs about the Proposition were set aside to make English only instruction successful for our children.

When the Proposition passed, our Governing Board and Superintendent, Mr. Kenneth Noonan, interpreted the legislation more strictly than most districts,

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even though Mr. Noonan had been a bilingual instructor himself and was the founding president of the California Association of Bilingual Educators. English would be the language of instruction in Oceanside classrooms, with the goal of developing student fluency as quickly as possible. In Oceanside, "Structured English Immersion" classes replaced bilingual ones and all instructional materials were presented in English. Teachers were permitted to use a child's native language only when it was clear that a student did not grasp a key concept. However, there were no attempts to restrict a child's language preference outside of the classroom and staff members continued to communicate with parents in Spanish, when necessary.

The Proposition permits parents to request a waiver of English-only instruction if the following conditions exist:

- The principal and the educational staff believe an alternative course of study would be better suited to a child's rapid acquisition of English language skills, and the child is 10 years of age, or older;
- A child is already proficient in English, as measured by standardized tests of English vocabulary comprehension, reading, and writing; or,
- The principal and educational staff believe a child's physical, emotional, psychological, or educational needs would be better served by an alternative program that would help the child learn English more effectively.

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Many California school districts utilized a "blanket" waiver approach, sending waiver forms to all English Language Learners and approving all waivers submitted. In Oceanside, parents were required to meet with the principal before obtaining a waiver application. Furthermore, a team of educators evaluated each student's waiver application individually. The principal, the classroom teacher, a certified bilingual instructor, and two members of our curriculum and instruction division used student assessment data, work samples, behavior, and attendance to determine if a child had a legitimate educational need for a bilingual program. The team made recommendations to the Superintendent, who could approve, deny or seek additional evaluation information before making a waiver decision. This school year, only five of the 155 waivers submitted were approved. An additional 15 students were identified with special education needs that had been previously attributed to English language development issues. The five waivers approved did not constitute enough students to form a bilingual classroom according to the new provisions of the law. Therefore, no bilingual classes were offered this year.

SAT-9 Scores Increase Significantly

In the Spring of 1998, in California, second through twelfth graders took a new standardized examination in language, reading, and math. It was written and administered completely in English. With the implementation of English-only instruction in Oceanside, the 1998 test results became pretest scores that were compared with those of 1999 to assess the instructional success of English only instruction.

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It would be an understatement to say that my Oceanside colleagues and I were pleased with the language and math growth of our students. We were amazed, excited, proud and inundated with attention.

Although Oceanside's overall scores still fall in the average range when compared to the national norm, the increase across the board is phenomenal. The scores for English Language Learners showed a gain that ranged from 56 percent in third grade reading, up to a 475 percent in seventh grade reading.

At my own school, where conventional wisdom would suggest that our scores would be negatively impacted by a high rate of poverty and a student population composed of more than 50 percent of limited English speaking children, the scores of English Language Learners showed a gain of from 138 percent to 222 percent in English reading, a gain of 29 percent to 154 percent in mathematics and a gain of between 69 percent and 175 percent in language.

In addition to English-only instruction, we believe the following factors contributed to these gains:

- The decision to redirect Title 1 and California School Improvement Program funding from personnel expenses to instructional materials for classrooms;
- The implementation of a structured English language development program with a strong foundation in phonics and supportive staff development activities for teachers;

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- Strict protection of instructional time to the extent that teachers reported gaining as much as one hour of instructional time per week. Activities unrelated to formal instruction were eliminated or transferred to after school hours;
- The complete support of the District's Governing Board in the implementation of the English only approach and for the items outlined above.

On a district-wide basis, several significant steps were taken to improve the academic performance of Oceanside students. The District has taken a back-to-basics approach to reading, writing and arithmetic, teaching phonics, spelling and grammar, as well as multiplication tables, long division and arithmetic facts. The District has established eight-grade exit criteria and promotion criteria for each high school grade, and is phasing in higher graduation requirements. High exit standards are also being phased in for each elementary grade.

Conclusion

School districts like Oceanside clearly face many additional challenges and hurdles in the education of all children. We have been significantly encouraged by our recent successes and will continue to raise the academic bar for increased student performance in all areas. This concludes my written and verbal report and I would be happy to answer any questions you may have regarding the information presented.

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RESUME

Joseph M. Farley
15 Lago Sud
Irvine, Ca. 92612
949-854-2905

EDUCATION

Northern Arizona University	Flagstaff, Arizona	Ed.D. in Educational Administration
Point Loma College	San Diego, California	Educational Specialist
San Diego State University	San Diego, California	M.A. in Educational Administration
Universidad de Espana	Valencia, Spain	Year Abroad Program
La Verne College	La Verne, California	B.A., Double Major: Spanish and Journalism

TEACHING AND ADMINISTRATIVE EXPERIENCE

1997 – Present	Elementary School Principal	Oceanside Unified School District
1992 – 1997	District Superintendent	Lemon Grove School District
1994 – 1997	Adjunct Professor of Educational Leadership	San Diego State University
1989 – 1992	Assistant Superintendent of Personnel and Instruction	Lemon Grove School District
1988 – 1989	Principal, Lemon Grove Middle School	Lemon Grove School District
1981 – 1988	Principal, Palm Middle School	Lemon Grove School District
1986 – 1988	K-8 Summer School Director	Lemon Grove School District

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1977 – 1981	Special Projects Coordinator	Sweetwater Union High School District
1975 – 1977	High School Classroom Teacher	Sweetwater Union High School District
1973 – 1975	High School Classroom Teacher	Chino Unified School District

CURRENT AND RECENT COMMUNITY ACTIVITIES

Board Member, Oceanside Unified Administrators Association

Board Member, Rancho San Joaquin Homeowners Association

Executive Board Member, San Diego County Fringe Benefits Consortium

President, Board of Directors, The Lemon Grove Prevention Project

AWARDS

Point Loma College "Educap" Award Recipient, 1995, for contributions to the field of educational administration and leadership in San Diego County

County of San Diego Citizen Recognition Award, 1991, for contributions to the effort to make the County of San Diego Drug Use and Alcohol-Problem Free

RECENT CONSULTING AND PRESENTATION INFORMATION

"Effective Strategies for Reducing Risk Behaviors in Elementary Age Children," Workshop at national conference of the Safe and Drug Free Schools Network, San Diego, April, 1999

"Preparing for the Entry Level Administration Position," Presentation for the "Future Administrator's Academy," San Diego County Office of Education, February, 1998

"The Principalship: The Profile of an Educational Leader," Keynote address, the National Conference of Yashiva School Principals, San Diego, June, 1997

"Design/Build: Expanding Existing School Site Facilities," Paper presented at the annual conference of the California School Boards Association, December, 1996

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"Class Size Reduction: the View from the Superintendency," Class Size Reduction Workshop, San Diego County Office of Education, September, 1996

Consultant on Organizational Effectiveness, part of a due diligence process at Aerospace Supply, Incorporated, San Diego, May, 1996

"What a Superintendent Needs to Know About Instruction," San Diego County Office of Education, Seminar for Aspiring Superintendents, December, 1995

"How One Low-Wealth District Networked its Schools and Became a Technological Leader," Workshop presented at the annual conference of the California School Boards Association, November, 1995

"Site-Based Decision Making," Workshop at the East County Parent Involvement Conference, April, 1993

"Evaluating School-Linked Prevention Strategies: Alcohol, Tobacco and Other Drugs," Guest speaker, UCSD Conference, March, 1993

PUBLICATIONS

Psychology and Educational Practice, Ginn Publishing Company, edited by Arthur L. Sanders, Chapter 18, "Student Interviews Essential to Overall Evaluation of School and Classroom Effectiveness," by Dr. Joseph M. Farley

"Making Time for Instructional Leadership," Thrust, Publication of the Association of California School Administrators, January, 1985

"Want to Know What's Happening in Your Classrooms? Ask the Kids," Educational Leadership, Journal of the Association for Supervision and Curriculum Development, December, 1981

OTHER PROFESSIONAL EXPERIENCE

General Assignment Newspaper Reporter, Pomona Progress Bulletin, responsibilities included coverage of the Pomona Unified School District and the Walnut Valley Unified School District

General Assignment Newspaper Reporter, The Riverside Press Enterprise, vacation substitute for reporters assigned to bureaus throughout Riverside County, responsibilities included news coverage for city government, Riverside Superior Court, police departments, featuring writing and photography

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SPECIALIZED TRAINING

Certified "Teacher-Perceiver Specialist" in the use of the teacher interview instrument of Selection Research, Incorporated

Fluent in spoken Spanish, with undergraduate major in Spanish language and extensive experience in bilingual education and English-as-a-Second Language

Trained in all aspects of employer-employee relations, including traditional bargaining processes and interest-based bargaining

REFERENCES

Mr. Ken Noonan, District Superintendent, Oceanside Unified School District, 2100 Mission Avenue, Oceanside, California, 92054, 760-757-2560

Mrs. Carol Dillard, Deputy Superintendent, Oceanside Unified School District, 2100 Mission Avenue, Oceanside, California, 92054, 760-757-2560

Dr. Elaina Hershowitz, Director, California School Leadership Academy, San Diego County Office of Education, 6401 Linda Vista Road, San Diego, California, 92111, 619-569-5305

Dr. Carol Pugmire, Assistant Superintendent, San Diego County Office of Education, 6401 Linda Vista Road, San Diego, California, 92111, 619-292-3645

Dr. Bill Streshly, Coordinator of the Administrative Services Program, San Diego State University, Graduate School of Education, San Diego, California, 92115, 619-599-7319

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APPENDIX C - STATEMENT OF MS. MARTHA BUJANDA, FORMER STUDENT, THE COLONY, TEXAS

TESTIMONY OF
MARTHA BUJANDA
BEFORE THE
SUBCOMMITTEE ON EARLY CHILDHOOD, YOUTH AND FAMILIES
OF THE
COMMITTEE ON EDUCATION AND THE WORKFORCE
THURSDAY, JUNE 24, 1999

"BILINGUAL EDUCATION AND PARENTS' RIGHTS"

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Mr. Chairman,

I am Martha Bujanda from Dallas, Texas. I am here today to discuss the issue of bilingual education. This is a program with which I have ad a great deal of personal experience. My family immigrated to Texas from Mexico when I was five years old and I was immediately placed in a bilingual education program. For three years I learned almost no English in this program until my family moved to Dallas and I was finally placed in an English program—in a school which had no bilingual education—where I could acquire the skills which allowed me to graduate and go on to college.

I would like to make clear that I believe the ability to communicate in two languages is an incredible asset. In many cases someone who is bilingual has a clear and definite advantage over someone who is not. The question before us then is not whether it is beneficial to be bilingual or not. Undoubtedly, being bilingual has indisputable advantages. What should concern us is the extent to which Bilingual Education truly helps minority children learn English, succeed in the United States, and whether or not parents have a legal right to know in what manner their child is being taught English.

From 1994-1998 I was the director of a community outreach program at the University of Dallas in Irving, Texas, the goal of which was to tutor students who had failed portions of the Texas Assessment of Academic Skills Test. More commonly known as the TAAS Test, students are required to pass this exam in order to advance to the next grade level in the Texas public school system. As Director of this program, I was in contact with countless numbers of Hispanic parents who were unaware that their children were in Bilingual Education classes, and were under the false impression that their children were being taught in English. Unable to speak English themselves, I found the parents were intimidated by the prospect of questioning their children's teachers and principals, even if they did want their children to be taught solely in English.

I also noticed a widespread misunderstanding regarding their conception of the Bilingual Education Program and their children. Most parents were not aware of what the term Bilingual Education meant exactly. At the heart of this confusion was their notion of what language would take preeminence over the other. Thus, they expected their children to be in a class where English would be spoken predominantly --and only when their child did not understand, or had difficulty on an assignment-- would the teacher help him or her in their native language. These parents were surprised to find that many of the classes their children attended were taught solely in Spanish, while others were chiefly taught in Spanish but included some English as well.

As parents became aware of this unfortunate reality, a feeling of impotence came over them. Unable to speak English themselves, many of them felt they had no recourse as they saw their children continue to struggle with the English language even after several years of Bilingual Education. I often asked them why they did not remove their children from Bilingual Education if they were dissatisfied with the results. The answer was always that they did not know they had this option.

However, even when parents discovered that removing their child from Bilingual Education was possible, they often did not feel empowered to do so. In almost all cases, they were intimidated by the thought of having to go to their children's school and formally sign a written request stating their desire to remove their child from the Bilingual Education Program. Even in those rare cases where parents were willing to be proactive with school administrators about this issue, they were often discouraged by guidance counselors and teachers, or were made to feel like outcasts for wishing to place their children in mainstream classes.

On one occasion, the mother of one of my students approached me and asked what was required to remove her seventh grade boy from the Bilingual Education program at his Irving Middle School. When I inquired as to why she wanted to do this, she responded that her son had been educated in a Bilingual Program since elementary school and she felt that he was capable of speaking better English than he actually did. I informed her that under Texas law all that was necessary was written request with her signature indicating her wishes. She asked me to accompany her to the school since she did not speak English very well, and I agreed.

What I thought would be a relatively simple task, turned into a two and a half-hour situation. Disregarding the mother's wishes, the boy's homeroom teacher, guidance counselor, and principal attempted to convince them both that it was in the boy's best interest to remain in the program instead of attending mainstream classes in English. I reminded them all that the only stipulation required under Texas law to remove a child from a Bilingual Education Program was a written request from a parent. Only after this, did they cease to discourage the mother.

I believe this mother to be representative of countless Hispanic parents who are unaware of the manner in which their children are being educated. Yet, this unfortunate situation is simply the result of a lack of communication; and in some cases, of an outright unwillingness on the part school officials to respond to what parents perceive is in the best interest of their child.

It may seem easy for the parent of a bilingual education student to ask school administrators for the removal of his or her child from Bilingual Education classes. But to many parents this is a tremendous obstacle to overcome. Hispanic parents who have only recently immigrated to the United States, are undoubtedly intimidated by their surroundings and, as they seek to adjust to this new environment and learn English themselves. The prospect of having to argue with teachers, principals and other school administrators in order to secure an English education for their children is frightening, to say the least.

Hispanic parents should be given the opportunity of choosing the type of education they feel is most beneficial to their child without feeling pressured by school administrators or anyone else. This Bill would require that public school systems be forthcoming with regard to the education of Hispanic students. If passed, it will finally allow parents to make a truly informed decision on the type of education they would prefer for their children; allowing them, for the first time, to weigh all of their options. It should be the responsibility of each school to inform the parents that they have a choice on the language in which their children are to be educated.

Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name: MARTHA DANIELA BUJANDA

1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee). Yes [✓ No]

2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997:

NA

3. Will you be representing an entity other than a Government entity? Yes [✓ No]

4. Other than yourself, please list what entity or entities you will be representing:

5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4:

6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract:

7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing? Yes [✓ No]

Signature: Martha Bujanda **Date:** 6-20-99

Please attach this sheet to your written testimony.

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PERSONAL INFORMATION: Please provide the committee with a copy of your resume (or a curriculum vitae) or just answer the following questions:

a. Please list any employment, occupation, or work related experiences, and education or training which relate to your qualifications to testify on or knowledge of the subject matter of the hearing:

I was director of a community outreach program at a predominantly Hispanic school district. In this capacity I served as ~~the~~ liaison to the parents and students

b. Please provide any other information you wish to convey to the Committee which might aid the members of the Committee to understand better the context of your testimony:

I'm Mexican-American immigrant and was part of the bilingual education program for three years.

Please attach to your written testimony.

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APPENDIX D - STATEMENT OF DR. SYLVIA HATTON, EXECUTIVE DIRECTOR, REGION 1 EDUCATION SERVICE CENTER, EDINBURG, TEXAS

Statement of

Sylvia R. Hatton, Ph.D.
Executive Director

Region One Education Service Center
1900 West Schunior
Edinburg, Texas 78539

on the

Bilingual Education Act

Submitted to the

House Sub-Committee on Early Childhood, Youth and Families

June 24, 1999

While the educational research has given considerable attention to exploring the characteristics of effective schools, it is still difficult to isolate the conditions, policies, and behaviors that yield success for every learner. Too many students continue to fail in our schools. Generally, these students come from low socioeconomic backgrounds, from culturally and linguistically different groups, and have high inter and intra district mobility rates. In their study of border schools in Texas, Scheurich and Laible (1996) traced the academic difficulties of these students primarily to racial and linguistic biases, to negative beliefs about the educative potential of children from particular subgroups – such as immigrants, migrants, or limited English proficient (LEP), to a lack of cultural appreciation, an unwillingness to use the language and experiential knowledge of the student, and negative beliefs about cultures or parents on the part of school personnel. It is these obstacles which the Bilingual Education Act was created to overcome.

The Bilingual Education Act

The Bilingual Education Act (BEA) was a purposeful policy enacted as part of the Elementary and Secondary Education Act of 1965 to reduce the high dropout rates for language minority students who were limited English proficient. To that point, nearly 80 percent of the Mexican American students in California and the Southwest dropped out of school prior to high school graduation. Native American and Puerto Rican students also were dropping out at alarming rates. This landmark policy charted a new direction for the education of language minority students.

The 1994 reauthorization incorporated new important principles:

- Given access to challenging curriculum, language-minority and limited English proficient (LEP) students can achieve to the same high standards as other students, and
- Proficient bilingualism is a desirable goal, which can bring cognitive, academic, cultural, and economic benefits to individuals and to the nation.

The BEA, know as Title VII, Part A of the Improving America's Schools Act, is designed "to assist state and local educational agencies, institutions of higher education and community-based organizations to build their capacity to establish, implement, and sustain programs of instruction for children and youth of limited English proficiency" [P.L. 103-382, Sec. 7102 (b)]. Among its stated purposes is the intent "to educate limited English proficient children and youth to meet the same rigorous standards for academic performance expected of all children and youth, including… developing the English of such children and youth, and to the extent possible, their native language skills." [Sec. 7102 (c)].

The Bilingual Education Act has led to striking advances in the fields of psycholinguistics, second-language acquisition, bilingual pedagogy, and multi-cultural education (Crawford, 1997). Gratefully, as a profession, we have learned a great deal about the needs and challenges faced by language minority students, as well as, the promising practices, conditions, and behaviors for overcoming them.

The need for more research remains. Crawford (1997) cites that we still need answers regarding how children acquire second languages, how social and cognitive variables affect language acquisition and how bilingualism interacts with literacy development and academic achievement. It is more basic research in these areas which hopefully will guide us in improving the schooling of LEP children.

It is imperative that the Bilingual Education Act be re-authorized, so that the answers sought can be found. The demand for the answers will continue to increase as the population of language-minority students increases in states across the country. The support of Congress with this initiative is a vital link in the State Education Agencies (SEAs) and Local Education Agencies (LEAs) efforts to offer LEP students access to the academic support which they require to achieve their full learning potential. While the challenges of effectively serving LEP students are many and varied, real partnerships will yield real results.

Bilingual Education in Texas

In the late 1930s, enrollment statistics for the typical Texas school district reflected the following characteristics of school-age children. (Graham, 1938):

	English Speaking Students	**Spanish Speaking Students**
Enrolled in school	91.01%	59.60%
Normal age for grade	64.00%	14.00%
Retentions	3.72%	41.96%

In response to new federal legislation, an Advisory Committee on Bilingual Education developed the Texas Statewide Design for Bilingual Education in 1968. In 1969, a handful of programs were funded under Title VII of the Elementary and Secondary Act of 1965.At the suggestion of the State's Commissioner of Education J.W. Edgar, the 61st Legislature repealed Article 288 of the Penal Code in 1969 to end fifty-one years of prohibition on the use of a language other than English in the schools.

In the ensuing thirty years, Texas schools have been charged with the responsibilities and the challenges of developing and implementing bilingual education programs focused on providing a full opportunity for all language minority students to become competent in speaking, reading, writing and comprehending the English language. Additionally, it is a clear expectation that English language competencies be mastered. Language minority students must also effectively participate in the state's educational program in all content areas. A rigorous and comprehensive statewide assessment and accountability system was implemented in 1995 for students of limited English proficiency (LEP) to supplement the accountability system for all students. A Spanish TAAS in the areas of Reading, Writing and Mathematics was developed, field tested, and has since been implemented at grades 3-5. On the schedule for implementation beginning 1999-2000, is the Reading test of English proficiency to add to the Spanish TAAS and the early academic inventory used in the primary grades to monitor academic progress in English and/or Spanish. The 76th Legislature which adjourned on May 31, 1999 has strengthened the assessment and accountability system requirements by eliminating exemptions from testing for all Spanish-speaking LEP students grades 3-6, except for up to a one year exemption from Texas Assessment of Academic Skills (TAAS) for unschooled immigrants, and has required the Texas Education Agency to study the need for Spanish Assessments for grades 7 and 8. A reading test to monitor academic progress in English complements the Spanish TAAS. These changes become effective in the 1999-2000 school year and are intended to insure that the LEP population reaches the same academic standards set for all students.

Student Achievement data for former students of bilingual education programs for the five education service center regions in Texas having the largest numbers of students in these programs showed that 88.79% of these students passed the English reading TAAS in 1993-94. Statewide, the results of former LEPs in the math, reading and writing portions for the third and fourth grades TAAS reflect the following results (Appendix A).

	Grade 3	**Grade 4**
Reading	**76.47%**	**72.37%**
Math	**61.89%**	**56.60%**
Writing		**84.80%**

A comparison of the 4th grade TAAS results for 1994 of former LEPs with other student groups reflects that former LEPs had higher mastery rates than the Hispanic and African-American student groups in Reading, Writing, Math, and all tests taken.

TAAS Sections	**Former LEP**	**Hispanic**	**African American**	**White**	**All Students**
All Tests	51%	43%	33%	66%	54%
Reading	72%	66%	58%	85%	75%
Math	57%	48%	37%	70%	59%
Writing	85%	79%	74%	91%	85%

On the 1996 National Assessment of Educational Programs (NAEP) which assesses national and state academic performance of student groups, Texas students scored among the top 10 states in 4th grade math, and had the highest percentage of increases in performance from the 1992-1996 NAEP administrations. The 4th grade results by group for Whites, Hispanics, and African-Americans ranked in the top five comparison for all states.

The academic success of language minority students in Texas can be attributed to many factors. The border districts and the schools with high concentrations of LEP students rely on instructional approaches for teaching English; particularly, content-based English as a Second Language (ESL) and sheltered English and program models like transitional bilingual, maintenance bilingual, and two-way bilingual programs for developing English communication and content proficiency.

The strongest variables influencing the selection of the instructional approach and/or the program model to be implemented are the availability of teachers who speak the language and the percentage of English language learners whose native language is Spanish. However, the critical bilingual/ESL teacher shortage we are experiencing in Texas and across the country will have undoubted influence on our ability to continue to be successful with LEP students, unless specific targeted and innovative approaches can be implemented to recruit, retrain and retain bilingual/ESL certified teachers.

In addition to the implementation of appropriate instructional approaches and program designs by qualified/certified bilingual/ESL teachers, other factors play a key role in effecting positive results with LEPs. Among the most crucial support factors are the availability of a culturally relevant curriculum, access to instructional resources, the use of technology, continuous professional development of teachers, and parental empowerment and involvement at school. The Bilingual Education Act has continuously emphasized these areas as vital to achievement of the program's goals.

While it seems indisputable that Bilingual Education programs are succeeding in Region One ESC schools and across many parts of Texas and the country where programs for language minority students have existed for several decades, too many LEP children continue to fail. Language minority students, the largest number and percent of these Hispanic, continue to increase in new areas and states, which lack the human and fiscal resources vital to successful programs. It is imperative that the federal government continue to provide direction for schools serving this student population to avoid a return to the conditions of the past. The risks are too high and the losses will be too great.

National Demography Trends

Language minority student groups, which for many years were concentrated in five states, (Texas, California, New York, Florida, and Illinois) are now present in almost half of our nation's school districts. In ten states, (Alabama, Alaska, Florida, Idaho, Nebraska, Nevada, North Carolina, Oregon, South Carolina, and Tennessee), the LEP population more than doubled between the 1992-93 and 1996-97 school years. Nationwide, approximately 7% of the total K-12 enrollment during the 1996-97 school year was classified as LEP.

Border schools in Texas serve a population of learners who are mostly Hispanic, low-SES, limited English proficient and Migrant. In the Region One Education Service Center area, the student demographic summary (Appendix B) reveals that 95.2 percent of the 289,617 enrolled students during the 1998-99 school year were Hispanic, 81.4 percent came from economically disadvantaged backgrounds, 55.2 percent were classified as LEP, and 11.2 percent were Migrants enrolled as of October 31, 1999. While the demographics of the region remain fairly stable, the changes across Texas reflect dramatic increases in the number and percent of minority students between the 1987-88 and the 1997-98 school years. In 1997-98, 3,891,877 students enrolled in Texas public schools, with minorities accounting for 55 percent of the total enrollment, and Hispanics representing 38 percent of the total (Appendix C).

Across the country, increases are evident in the number of students from diverse cultural, ethnic, and linguistic backgrounds, poor families, and non-traditional families (Villa & Thousand, 1992). Many of the minority groups are bilingual and have a predominant language other than English (Yates & Ortiz, 1991). For example, by the year 2050, it is projected that White Non-Hispanic students will constitute no more than 42 percent of the total school population.

According to the 1990 U.S. Census, 6,322,934 school aged (5-17 years) children, or approximately 14 percent of the total number of students in the U.S. population, lived in a home where a language other than English was spoken. Fleishman and Hopstock (1993) estimated that of these 2,314,079 were English-language learners in grades K-12 in the Fall of 1991. In Texas, the Fall, 1997 Bilingual/ESL enrollment was 12 percent (462,379 students, K-12), up from 7 percent (236,551 students K-12) in Fall, 1997.

As the Hispanic student population is increasing, the attrition rate of these students is also on the rise. A study of the Dropout and Attrition Rates in Texas Public High Schools by the Intercultural Development Research Association (IDRA) comparing school dropouts in Texas in 1985-86 and 1997-98 found that the attrition rate of 33 percent had increased to 42 percent in 1997-98. The potential income, lost tax revenues, and increased criminal justice, welfare, unemployment and job training costs rose from $17.12 billion in 1985-86 to a projected loss of $319 billion for the 1997-98 statistics. The 1.2 million students lost from Texas public schools during those 12 years reflect that 2 of every 5 students in grade 9 during the 1994-95 school year did not complete grade 12 in 1997-98. The IDRA data indicate that 1 of 2 Hispanics and African-Americans and 1of 3 white students failed to complete grade 12 in 1997-98.

While these statistics are appalling, and Texas educators and legislators debate the merits and weaknesses of the research design, the reality is that Hispanic students are not completing a high school education in alarmingly high numbers. It appears likely that this terrible trend is occurring in other states.

These dramatic demography changes pose new challenges for many schools across the country not just for Texas. Increased support from state and federal policy makers is warranted to assist school districts in responding appropriately to these changes. The Bilingual Education Act has been proven an effective tool and now more than ever, merits increased emphasis and increased resources. The demand for support already exists. What remains unclear is the level of assistance and the kind of leadership that policy makers will exert on behalf of these children and the communities which serve them.

The Future

The classroom realities of the future will reflect increased numbers of low-income, linguistically diverse school age children. Poverty, family illiteracy, cultural barriers and institutional racism will account for underachievement of many language minority students. Drop-out rates for language minority students will likely continue to escalate. The challenges that have traditionally confronted pockets of school districts primarily in five states now extend to almost every state across the country. Direction and continued support to facilitate the implementation of effective programs for language minority students must come from partnerships of national, state, and local organizations. Failure to actively provide leadership from the national and state levels can yield disastrous results.

The Recommendations

The lessons learned to date from educational research must guide our policies and actions. The Bilingual Education Act in its reauthorization must encourage schools serving language minority students to become learning communities driven by a shared mission of high expectations for all members in an inclusive environment. The programs must promote high academic standards, including proficiency in more than one language; must create partnerships with parents and communities; and, must insure that qualified teachers and relevant and appropriate instructional tools and materials are available in classrooms for these students. Accountability for student performance on clearly defined standards must be a vital dimension of all programs. Continuous professional development for teachers and administrators, and parent education and parent empowerment must be achieved. Reauthorization of the Bilingual Education Act can facilitate a common theme and provide cohesive direction for all programs offered for minority students.

Models for building quality schools for all children are of significance for today's educational leaders. These models must address the attitudes and behaviors which are critical to student success. The deficit model and cultural deprivation argument prevalent in much of the professional literature must be denied. The notion that racial/ethnic minority students who come from low socio-economic status homes and do not speak English proficiently are not capable learners must be rejected. The new mandates of the Bilingual Education Act should demonstrate that ethnic pluralism is respected, and that open, caring and culturally inviting inclusive learning environments can and should be created for these language minority students.

Specific recommendations include:

- Academically rich programs of study must be offered to low SES, language minority students. They should be offered in the students' dominant language as they engage in the acquisition of their second language and not postponed until they demonstrate proficiency in English. A culturally relevant curriculum and culturally responsive pedagogy are integral to producing teaching for understanding and learning for life.

- Teachers must be recruited who share similar backgrounds with the students. It would be particularly helpful for the teachers to speak the language of the students and have had many of the same experiences. This forms a stronger bond and link between the teachers, the parents, and the students. For teachers of language minority students, staff development must be a career long plan. The training must provide teachers with knowledge and strategies which are responsive to the specific strengths and needs of the students they serve.

- Teacher education programs must prepare teacher candidates for the realities which exist in low SES schools serving LEP students, including those from high mobility backgrounds.

- New and innovative methods and processes must be sought to develop and nurture highly committed and qualified teachers of low SES, LEP, and mobile students. A system of incentives and/or rewards for choosing these assignments and pursuing the additional certificates may be appropriate.

- Culturally-sensitive, accommodating, and enabling strategies for influencing the parents of LEP students in the education process must be incorporated into all programs (Cummins, 1986). Children from low-income and minority families have the most to gain when schools involve parents.

- A rigorous and comprehensive assessment and accountability system must be an added dimension of all bilingual/ESL programs. Students academic competencies must be monitored, whether in English or Spanish, (to be determined by the language of instruction). If students are tested academically in Spanish, an assessment strategy to determine progress in the acquisition of English should also be incorporated. The accountability system must demonstrate progress of the classroom, school and/or district towards the defined standards of achievement over time. Levels of acceptable and unacceptable performance standards should be defined. Flexibility to allow for the use of state assessment and accountability system in Title VII programs merits consideration.

The scope of the Bilingual Education Act should be expanded. The financial resources available should be increased commensurate with the needs. It is critical that schools and communities, which find themselves for the first time serving significant numbers of highly mobile, low SES/LEP students, have the support they desperately need to build effective learning communities. Those of us who as practitioners have a lifetime of serving these children clearly see the challenges which lie ahead; but also, understand the privilege of serving theses children and appreciate the pride of achieving success. We have not accomplished our successes alone. It was the partnership of the national, state, and local stakeholders collaborating for the common good of language minority students that has contributed to whatever successes we have had. Our colleagues across the country merit the same commitment and the same support.

Closing

There is evident support across the world for proficiency in more than one language. Crawford (1997) states "competence in multiple languages is an obvious necessity in diplomacy, national security, and the market place." Today, more so than any other time in our history, it is vitally important to create instructional programs like the two-way bilingual models, affording all children, regardless of racial/ethnic and linguistic backgrounds the opportunity to develop proficiency in more than one language and an understanding of and appreciation for different cultures. By implementing bilingual and multi-lingual education programs viewed as asset models, more children, and more parents can hopefully be influenced to voluntarily choose bilingual education programs and insure that their children reap the economic advantages of being bilingual and bi-cultural.

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Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name:		
1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee).	Yes x	No
2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997:		
3. Will you be representing an entity other than a Government entity?	Yes	No x
4. Other than yourself, please list what entity or entities you will be representing: Region One Education Service Center		
5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4: Executive Director		
6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract: None		
7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	Yes	No x

Signature: R. Hatton Date: Apr 22, 1999

Please attach this sheet to your written testimony.

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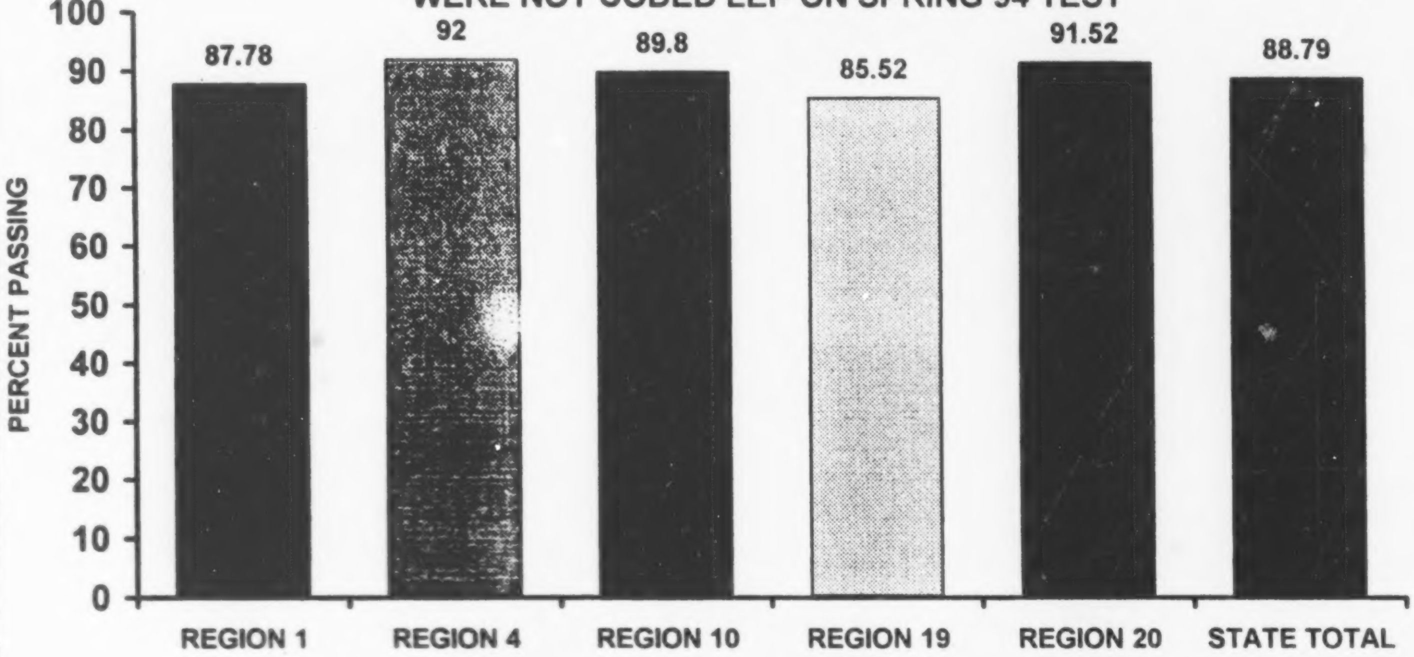
Appendix A

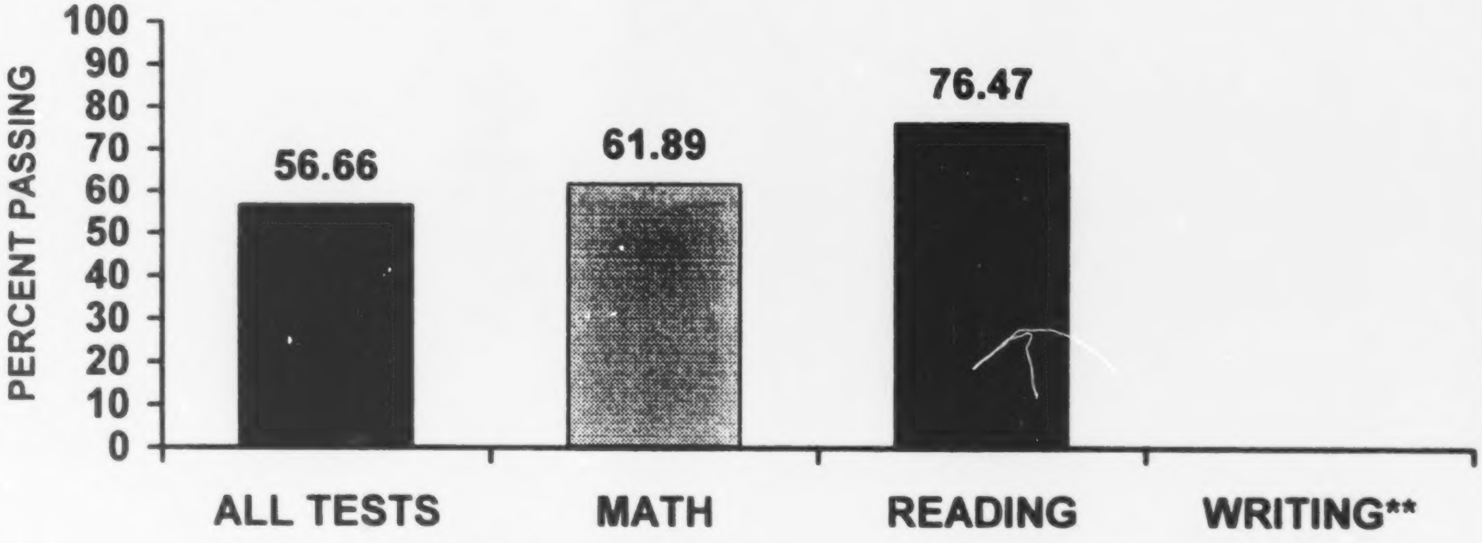
FORMER LEP*-TAAS READING PROGRESS
PERCENT PASSING THE SPRING 94 TAAS TEST AMONG STUDENTS WHO WERE LEP IN 1993 AND PASSED THE SPRING 93 TAAS READING TEST** AND WERE NOT CODED LEP ON SPRING 94 TEST



*Former LEP-1992-93 Non-Special Ed. Students no longer identified as LEP in 1993-94, (one year after exit).

** These students were tested in 1993 as LEP students.

THIRD GRADE
FORMER LEP*
TAAS RESULTS
1993-94
STATEWIDE DATA

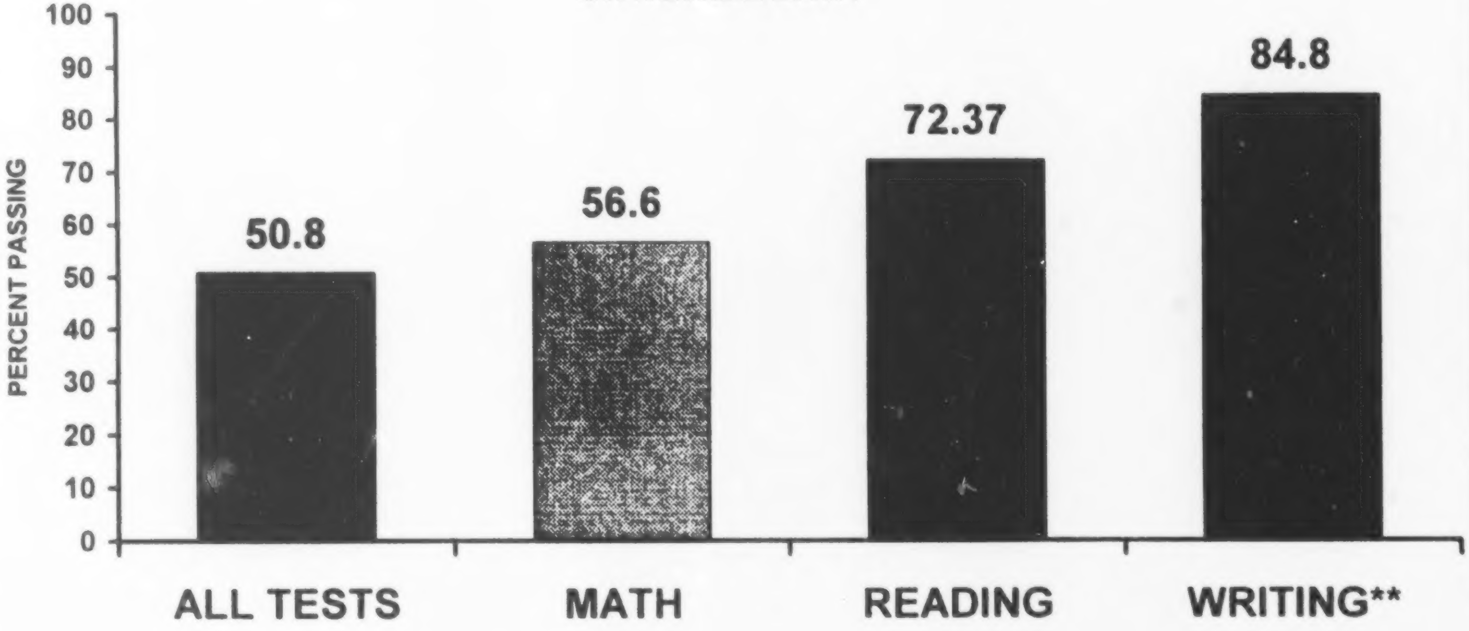


Former LEP-1992-93 Non-Special Ed. students no longer identified as LEP in 1993-94, (one year after exit)

** Writing not administered for third grade

FOURTH GRADE
FORMER LEP*

TAAS RESULTS
1993-94
STATEWIDE DATA



*Former LEP-1992-93 Non-Special Ed. students no longer identified as LEP in 1993-94, (one year after exit).

Policy Research

Published by the Texas Education Agency Office of Policy Planning and Research

Expanding the Scope of the Texas Public School Accountability System

With readoption of the Texas Education Code in 1995, statute expanded the focus of state policy regarding special programs beyond compliance and program quality to also include accountability for student performance. This report provides background information against which issues related to including more students in the statewide assessment program and Academic Excellence Indicator System (AEIS) can be evaluated. Expanding the assessment program and AEIS is contingent upon resolving measurement and policy issues related to appropriate testing of students, appropriate use of test results, and impact on the accountability rating system for Texas public schools and school districts. At the center of the debate are questions about standardizing treatment of students for whom there has previously been a high level of recognition of individual circumstances, such as students with disabilities and students of limited English proficiency. Since the report was prepared during the state legislative session, it concludes with an update of changes in state statute related to student assessment and school accountability.

Report Number 9, June 1997

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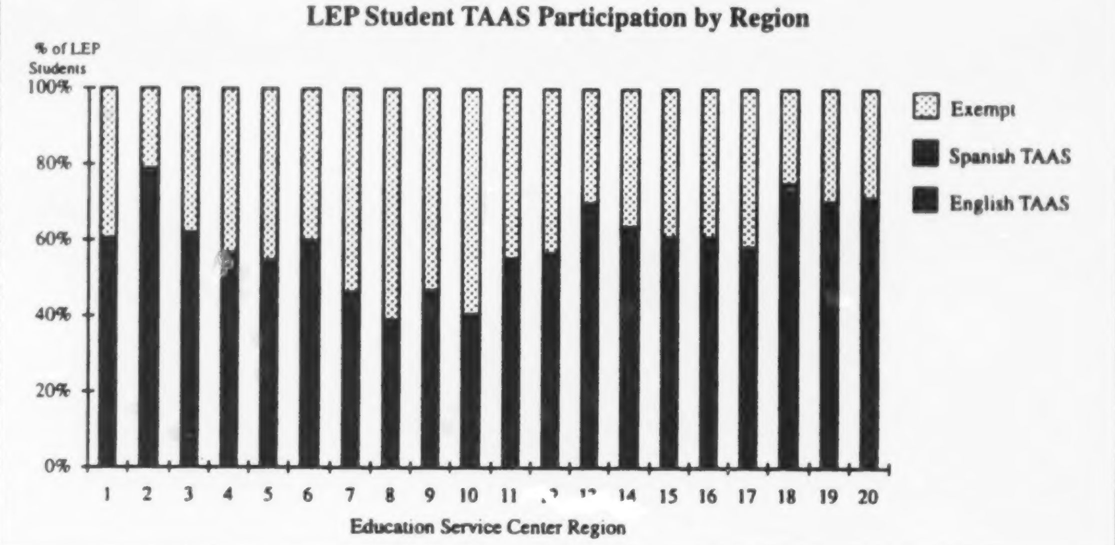
TAAS Participation and Performance by Students of Limited English Proficiency

In 1995-96, about 44 percent of LEP students took the English TAAS. An additional 15 percent of students took the Spanish TAAS, which was administered at Grades 3-6 as part of either the field test or benchmark administration in 1995-96. Texas Assessment of Academic Skills (TAAS) participation patterns vary considerably, even among the regions with the largest LEP populations. Fewer than 30 percent of LEP students were exempt from both the English and Spanish TAAS in the El Paso region (Region 19) and San Antonio region (Region 20). However, the majority of LEP students tested in the San Antonio region took the English test, while 27 percent of LEP students in the El Paso region took the Spanish test. In contrast, almost 60 percent of students in the Richardson region (Region 10) were exempt from both tests. These differences may reflect variation in the native languages of LEP students and the types of programs that are offered in the districts, as well as local test administration practices.

Performance of LEP students on the English TAAS is lower than that of the state as a whole, with a noticeable drop in performance at Grade 6. Under current SBOE rules, students can be exempt from up to three administrations of the TAAS. Therefore, Grade 6 may be the first year many LEP students participate in TAAS. Analyzing the TAAS performance of LEP students is difficult because, once students achieve proficiency in English, they are exited from the bilingual education or ESL programs and no longer identified by districts as LEP. Consequently, test results represent only those students taking the English TAAS who are not performing well enough to exit bilingual or ESL programs.

The passing standards for the Spanish TAAS Grades 3 and 4 reading and mathematics tests were set at 70 percent, based on 1995-96 benchmark data. The Spanish TAAS for Grade 4 writing and Grades 5 and 6 reading and mathematics were field tested in 1995-96;



Source: TAAS 1995-96 Spring, Year-round, and Spanish Tests.

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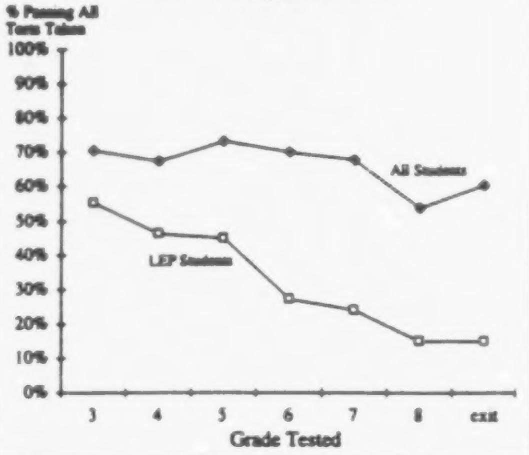
LEP Student Performance on the 1995-96 English TAAS



Source: TAAS 1995-96 Spring, Year-round, and Spanish Tests.

LEP Student Performance (Percent Passing), 1995-96 Spanish TAAS				
	Possible Passing Standards			
	60%	65%	70%	75%
Reading				
Grade 3	—	—	44	—
Grade 4	—	—	33	—
Grade 5	47	38	29	20
Grade 6	28	20	13	8
Mathematics				
Grade 3	—	—	42	—
Grade 4	—	—	33	—
Grade 5	37	31	23	18
Grade 6	34	26	18	14

Source: TAAS 1995-96 Spanish Tests, Grades 3-4 Benchmark Results and Grades 5-6 Field Test Results.

standards will be set following the 1996-97 administration. Spanish TAAS results are lower than the English TAAS results for LEP students at a 70 percent passing standard, which is the passing standard for the English TAAS.

It has been proposed that Spanish TAAS results be included in the *base* AEIS indicators used to rate campuses and accredit districts. Based on analysis of 1995-96 Grades 3 and 4 reading and mathematics Spanish TAAS results for all students not receiving special education services, 1996 ratings of 136 campuses would have been lowered by including Spanish TAAS results, and the rating of one campus would have been raised. The number of campuses rated *Low-performing* would have increased from 119 to 127. Needless to say, elementary campuses would be most adversely affected by this change. Ratings of four districts would have been lowered. Including results for Grade 4 writing and Grades 5 and 6 reading and mathematics could be expected to further impact the accountability rating system.

1996 Accountability Ratings					
	1996 Actual*	With Gr. 3-4 Spanish TAAS	Change	Ratings Lowered	Ratings Raised
Campus Rating					
Exemplary	394	371	-23	23	—
Recognized	1,299	1,207	-92	106	0
Acceptable	4,125	4,232	107	7	1
Low-performing	119	127	8	—	0
	5,937			136	1
District Rating					
Exemplary	37	37	0	0	—
Recognized	209	205	-4	4	0
Academically Acceptable	787	791	4	0	0
Academically Unacceptable	11	11	0	—	0
	1,044			4	0

Source: TEA AEIS 1996; TAAS 1995-96 Spring, Year-round, and Spanish Tests.
* 1996 ratings before appeals.

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Continued from Page 12

Commissioner's Proposals

The commissioner's proposals would achieve the goals of including all LEP students in the statewide assessment program, and of including all students with disabilities who are receiving instruction in the essential elements while TEA explores the feasibility of standardized tests for students not receiving such instruction. The TAAS results for more LEP students and many students with disabilities would be included in the accountability rating system.

A number of considerations must be explored before these proposals could be implemented, including the need for more data on the impact of the recommendations, availability of funding for test development, and application of statute regarding public release of test items for the proposed new assessments. In the meantime, these proposals will be reviewed by educators and policymakers in relation to a number of assessment and accountability issues. Following is a brief discussion of the major issues regarding expansion of AEIS. In addition, the commissioner is exploring options for integrating performance of as many campuses as possible that have been excluded from some part of the standard accountability system due to the special nature of their programs.

Current Issues

The issues discussed in the following sections are at the center of debates about expanding the statewide assessment program to test more students with disabilities and LEP students, and including more test results in the AEIS accountability rating system and performance reports. The issues are concerned with the three broad areas of appropriate testing of students, appropriate use of test results and impact on the accountability rating system, and data reporting needs in relation to school and district accountability.

Appropriate Testing of Students

Appropriate Testing of Students with Disabilities

Assessment in special education has traditionally been for eligibility for services rather than for performance and accountability. As this focus changes, two contradictory concerns are voiced repeatedly: the need to link assessment to classroom instruction and the possible unintended effects on classroom instruction if test results for students with disabilities are used in the accountability rating system. Under the commissioner's proposal, instruction in the essential elements of the curriculum is the key factor in determining if students receiving special education services will be required to take the TAAS and be included in the accountability rating system. This recommendation links assessment directly with classroom instruction, with the goal of improving educational results for students with disabilities.

TAAS participation by students receiving special education services has increased in recent years. However, including TAAS results in the accountability rating system could reverse this trend. If instruction in the essential elements is a key factor in determining TAAS participation, there are concerns that reduced TAAS participation could be achieved by teaching the essential elements to fewer students with disabilities. Other factors on which this decision could be based include the student's disability category, the amount of time spent in special education instructional settings, the instructional arrangement, the student's reading level, behavioral considerations, or results of a standardized pretest or developmental skills pretest. Each of these factors has shortcomings as a possible key for determining TAAS participation of students with disabilities.

Beginning in 1996-97, districts are required for the first time to administer a locally selected alternative assessment to students with disabilities who do not participate in the TAAS. Any standardized statewide alternative assessment for students who are receiving instruction in the essential elements, but not at grade level, would need to meet the following criteria: (a) provide a good match between test items and the essential elements, (b) be appropriate for various instructional levels and grade levels, and (c) provide valid results with a variety of test modifications or accommodations. Recommendations that such an assessment be developed or purchased for use statewide meet with the argument that standardization is not possible due to the individualized nature of disabilities and classroom instruction. At the same time, individualized evaluations such as portfolios and performance-based processes are seen as cumbersome and subject to variability in implementation.

Two approaches to developing a standardized alternative assessment have been proposed. One suggestion is to develop a multigrade-level TAAS. Test development could require several years, but this alternative would assure a match between the content assessed and the essential elements. Alternatively, a commercially available test could be selected for statewide use. These tests have already been evaluated for reliability, validity, and psychometric soundness, and school districts are familiar with their use. However, they are not designed specifically to test the content of the essential elements and the level of match would have to be evaluated. With either approach to a standardized alternative assessment, there are questions regarding interpretation of the results and how they should be reported.

It is estimated that 5 to 10 percent of students with disabilities do not receive instruction in the essential elements at any grade level. These students with severe disabilities receive instruction in a functional or life skills curriculum. Performance goals are articulated in the IEP. Development of a standardized assessment for these students must be preceded by establishment of statewide goals and identification of appropriate curriculum domains.

Test Accommodations for Students with Disabilities

Braille and large-print versions of the TAAS and end-of-course examinations are made available to districts for testing students with visual impairments. Students may also use a magnifying glass, colored transparency, or place marker with the test. Students with disabilities may be allowed to use a variety of methods to record responses to test items, including handwriting, typewriting, computer keyboard entry, verbal response, and marking responses in the test booklet rather than the answer sheet. Students with disabilities may receive an individual administration of the test, and the test administrator may read aloud the mathematics, social studies, and science test questions. Districts may contact TEA about accommodations not addressed in the testing manuals. The primary determinant for use of an accommodation is whether it would invalidate test results. Test accommodations for students with disabilities are determined based on accommodations the student routinely receives in classroom instruction (as identified by the ARD), the needs of the student, and accommodations allowed for the test.

The commissioner's proposal recommends providing districts with more comprehensive information about test accommodations and training educators to use them. The recommendation focuses on clarifying and disseminating information about current policy. By promoting wider use of allowable accommodations, it is argued, not only will participation increase but student performance will also improve. This proposal preserves the primary role of the ARD committee in identifying classroom and test accommodations based on individual student needs, and strengthens the link between assessment, the IEP, and classroom instruction.

Preparation of LEP Students for the English TAAS

There is debate about the amount of preparation needed by LEP students before it is appropriate for them to take the English TAAS. Allowing three years in a Texas public school to learn English may be sufficient for most students. However, for older students entering Texas public schools who are non-literate in their native languages, three years may not be sufficient time to master the essential elements of the curriculum in English.

The commissioner's proposal would modify current procedures by basing assessment decisions in part on the type of instructional program the student is receiving. Students receiving instruction in Spanish would not take the English TAAS for up to three or four years. All other students (including all students with native languages other than Spanish) would be required to take the English TAAS after two years of instruction, regardless of when they enter school.

There is concern that this proposal establishes different expectations for students based on their native language. Availability of the Spanish TAAS provides an option for including performance of Spanish-speaking students in the assessment and accountability rating systems before they achieve English proficiency. Currently there is not a sufficient mechanism in place or being developed to hold campuses and districts accountable for the performance of students with native languages other than Spanish in special language programs.

Ninety percent of those with native languages other than Spanish are in either ESL programs, which are intensive programs to develop English proficiency, or are not receiving special language services. In both cases, two years of instruction before taking the English TAAS would be consistent with the time allowed under the commissioner's proposal for Spanish-speaking students who do not participate in the Spanish TAAS. The inequity exists for the few remaining students with native languages other than Spanish who are receiving instruction in their native language, but must take the English TAAS after two years of instruction under this proposal. Although they represent less than 1 percent of all LEP students, this inherent inequity could result in unintended changes in those programs.

One alternative accountability measure might be presented by the proposed RPTE, which would be administered to all LEP students who do not take the English TAAS. Gains on a RPTE would reflect progress toward the goal of English reading proficiency, an appropriate goal for all LEP students regardless of native language or type of special program in which they are participating. How gains would be evaluated as an indicator, and whether gains could be compared across programs and grade levels would have to be determined.

Test Accommodations for LEP Students. For some LEP students, especially those taking the English TAAS for the first time, accommodations to the way the test is administered may be appropriate. State Board of Education rules permit test accom-

Continued on Page 19

Appendix B

REGION ONE EDUCATION SERVICE CENTER

DISAGGREGATION OF PEIMS DATA - STUDENT

AS OF OCTOBER 30, 1998

ALL REGION ONE DISTRICTS

TOTAL ENROLLMENT 289,617

		% of Group	% of Enrolled
ENROLLMENT BY ETHNICITY			
WHITE	12,386	4.3%	4.3%
HISPANIC	275,598	95.2%	95.2%
BLACK	538	0.2%	0.2%
ASIAN/PACIFIC ISLAND	989	0.3%	0.3%
AM INDIAN/ALASKAN	106	0.0%	0.0%
TOTAL	289,617	100.0%	100.0%
ENROLLMENT BY SEX			
MALE	148,384	51.2%	51.2%
FEMALE	141,233	48.8%	48.8%
TOTAL	289,617	100.0%	100.0%
ENROLLMENT BY GRADE			
EARLY EDUCATION	1,373	0.5%	0.5%
PRE-KINDERGARTEN	15,626	5.4%	5.4%
KINDERGARTEN	22,562	7.8%	7.8%
GRADE 1	24,042	9.3%	8.3%
GRADE 2	23,290	8.0%	8.0%
GRADE 3	22,038	7.6%	7.6%
GRADE 4	21,274	7.3%	7.3%
GRADE 5	20,964	7.2%	7.2%
GRADE 6	20,577	7.1%	7.1%
GRADE 7	21,048	7.3%	7.3%
GRADE 8	20,276	7.0%	7.0%
GRADE 9	27,313	9.4%	9.4%
GRADE 10	18,301	6.3%	6.3%
GRADE 11	16,513	5.7%	5.7%
GRADE 12	14,420	5.0%	5.0%
TOTAL	289,617	100.0%	100.0%
ADA ELIGIBILITY			
NOT ENROLLED	651	0.2%	0.2%
ELIGIBLE - FULL DAY	268,558	92.7%	92.7%
ELIGIBLE - HALF DAY	16,115	5.6%	5.6%
TRANSFER - FULL DAY	2,671	0.9%	0.9%
INELIGIBLE - FULL DAY	556	0.2%	0.2%
INELIGIBLE - HALF DAY	1,017	0.4%	0.4%
TRANSFER - HALF DAY	49	0.0%	0.0%
TOTAL	289,617	100.0%	100.0%
MIGRANTS			
WHITE	77	0.2%	0.0%
HISPANIC	32,314	99.7%	11.2%
BLACK	15	0.0%	0.0%
OTHER	11	0.0%	0.0%
TOTAL	32,417	100.0%	11 2%
TITLE I-PART A			
PARTICIPATES IN PROGRAM	2,875	1.0%	1.0%
ATTENDS SCHOOL WIDE	273,592	98.8%	94.5%
PREVIOUSLY PARTICIPATED	415	0.1%	0.1%
HOMELESS RECEIVING SRV	1	0.0%	0.0%
TOTAL	276,883	100.0%	95.6%
LEP	115,586	100.0%	39.9%
IMMIGRANT	14,958	100.0%	5.2%
ECONOMIC DISADVANTAGE	235,765	100.0%	81.4%

		% of Group	% of Enrolled
FREE LUNCH			
WHITE	2,413	1.5%	0.8%
HISPANIC	157,962	98.3%	54.5%
BLACK	219	0.1%	0.1%
OTHER	169	0.1%	0.1%
TOTAL	160,763	100.0%	55.5%
REDUCED LUNCH			
WHITE	791	4.9%	0.3%
HISPANIC	15,106	94.0%	5.2%
BLACK	51	0.3%	0.0%
OTHER	116	0.7%	0.0%
TOTAL	16,064	100.0%	5.5%
OTHER ECON DISADV			
WHITE	812	1.4%	0.3%
HISPANIC	58,010	98.4%	20.0%
BLACK	50	0.1%	0.0%
OTHER	66	0.1%	0.0%
TOTAL	58,938	100.0%	20.4%
AT-RISK			
WHITE	3,128	1.7%	1.1%
HISPANIC	178,186	98.0%	61.5%
BLACK	202	0.1%	0.1%
OTHER	324	0.2%	0.1%
TOTAL	181,840	100.0%	62.8%
BILINGUAL			
WHITE	195	0.3%	0.1%
HISPANIC	76,185	99.7%	26.3%
BLACK	5	0.0%	0.0%
OTHER	32	0.0%	0.0%
TOTAL	76,417	100.0%	26.4%
ESL			
WHITE	100	0.3%	0.0%
HISPANIC	28,926	99.1%	10.0%
BLACK	10	0.0%	0.0%
OTHER	141	0.5%	0.0%
TOTAL	29,177	100.0%	10.1%
GIFTED & TALENTED			
WHITE	3,168	13.2%	1.1%
HISPANIC	20,477	85.3%	7.1%
BLACK	62	0.3%	0.0%
OTHER	290	1.2%	0.1%
TOTAL	23,997	100.0%	8.3%
CAREER & TECHNOLOGY			
WHITE	2,672	5.6%	0.9%
HISPANIC	45,058	93.8%	15.6%
BLACK	84	0.2%	0.0%
OTHER	237	0.5%	0.1%
TOTAL	48,051	100.0%	16.6%
SPECIAL ED			
WHITE	1,183	3.9%	0.4%
HISPANIC	29,122	95.8%	10.1%
BLACK	69	0.2%	0.0%
OTHER	37	0.1%	0.0%
TOTAL	30,411	100.0%	10.5%

Note: Detail may not add to 100% due to rounding.

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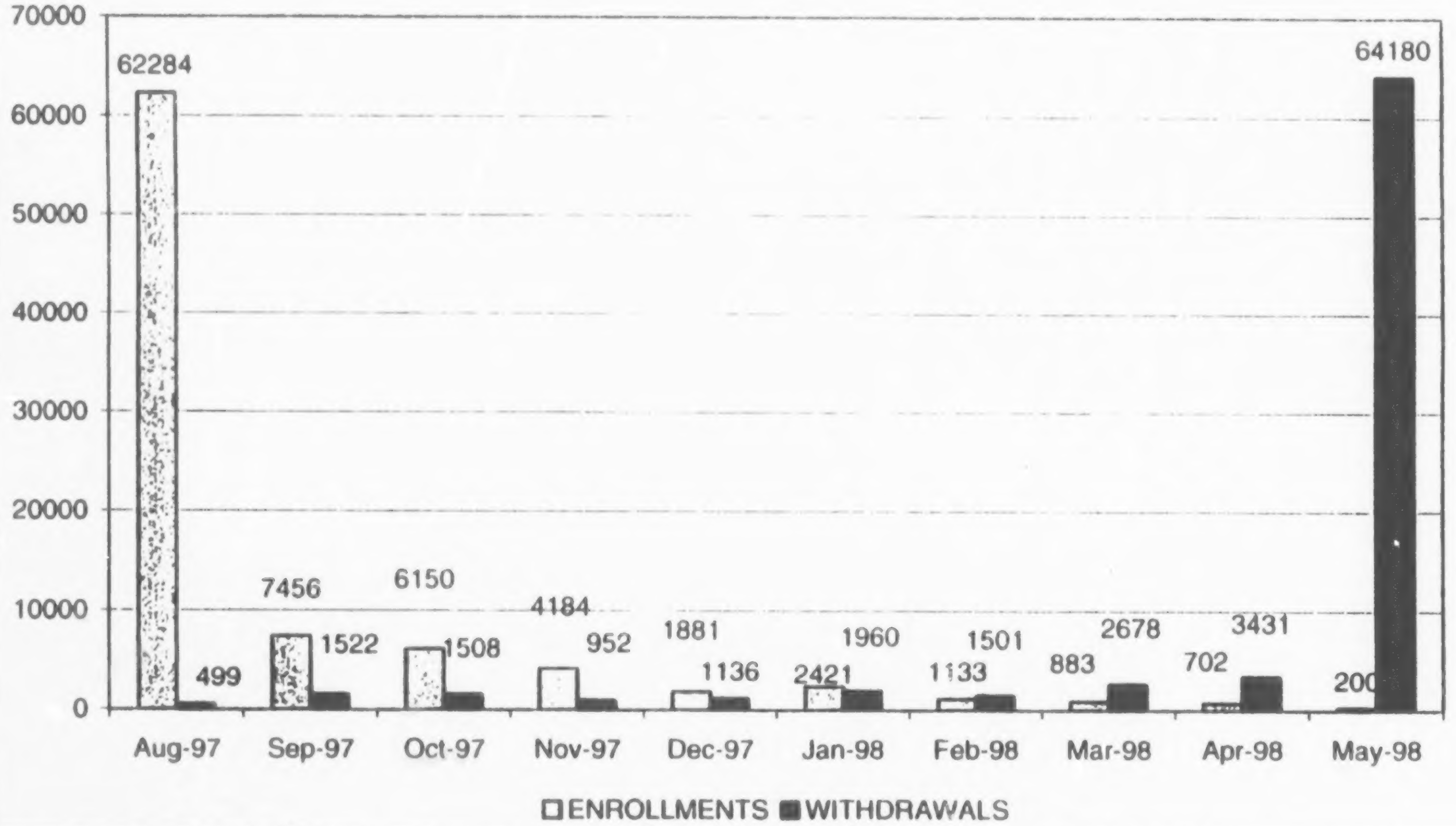
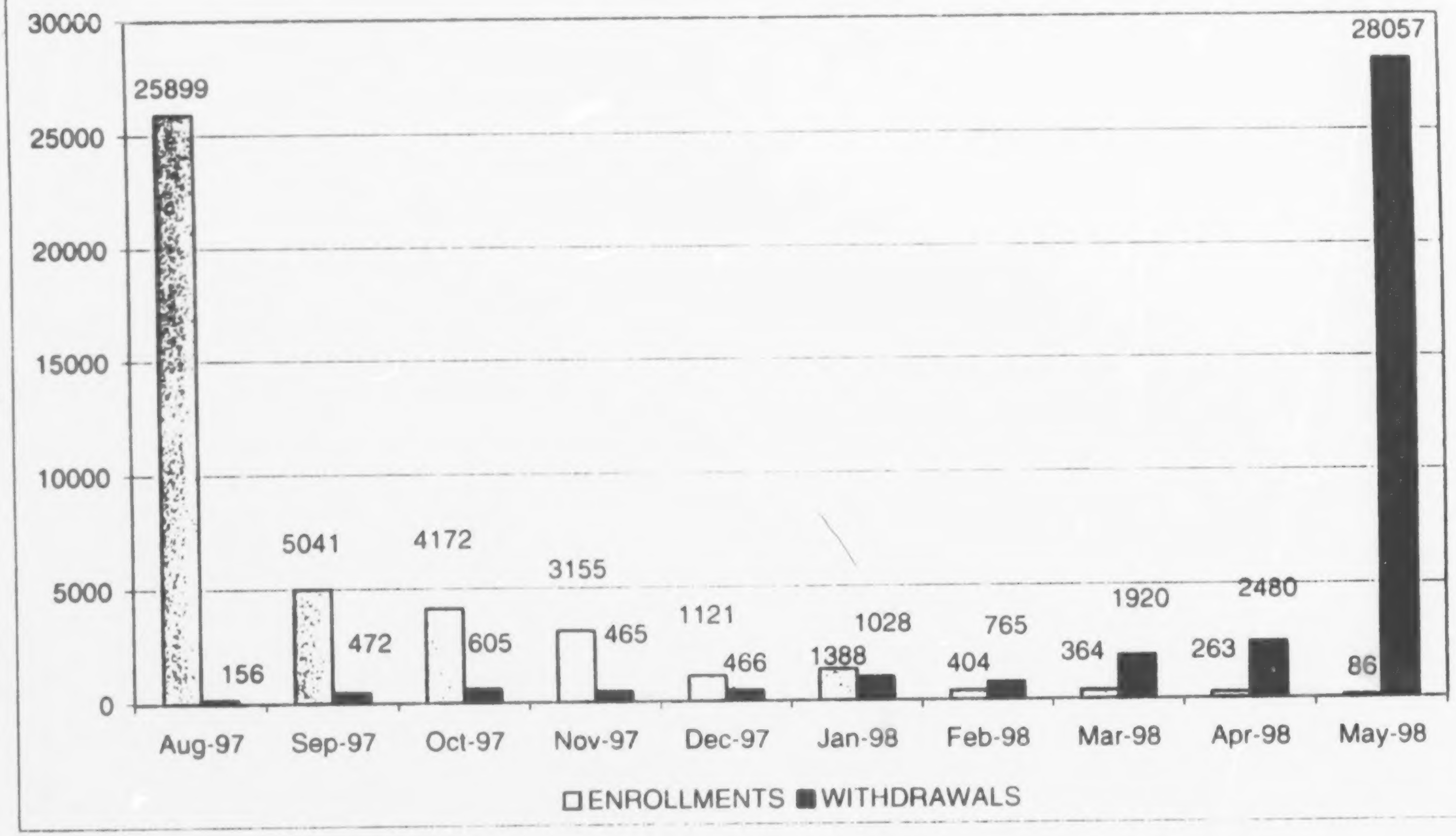
TEXAS MIGRANT STUDENT ENROLLMENTS AND WITHDRAWALS FOR 97-98



REGION 1 MIGRANT STUDENT ENROLLMENTS AND WITHDRAWALS FOR 97-98



APPENDIX E - WRITTEN STATEMENT OF DON SOIFER, EXECUTIVE VICE PRESIDENT, LEXINGTON INSTITUTE, ARLINGTON, VIRGINIA

Bilingual Education Reform:
Critical for Hispanic Student Success

Don Soifer
Executive Vice President
Lexington Institute

Subcommittee on Early Childhood, Youth and Families
House Committee on Education and the Workforce

June 24, 1999

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to participate in today's discussion on federal education programs for Limited English-Proficient (LEP) students. My name is Don Soifer and I am the Executive Vice President of the Lexington Institute, a nonpartisan public-policy research organization in Arlington, Virginia.

My remarks will focus on the need for flexibility in the bilingual education program, and in that regard I will stress the following three points:

- Now more than at any other time in our history it is essential for young people to possess strong English-language skills. Without them students are left to fall further behind their peers with less hope of regaining lost ground the older they get.

- Bilingual education programs currently funded under Title VII of the Elementary and Secondary Education Act (ESEA) favor initial instruction in students' native languages rather than in English. Such programs are ill-suited to provide English learners with the skills they need.

- The pending ESEA reauthorization gives Congress an important opportunity to make policy changes that will accelerate and improve the learning of English under these programs.

Before turning to these points, I would like briefly to address how my organization views the importance of learning English. If students can graduate from high school fluent in a second, or even a third language, they would certainly be in an advantageous position. Better jobs, better college educations, and increased opportunities would likely await them.

But when students are denied the opportunity to learn English, segregated in separate classrooms where they receive all of their instruction in Spanish, save for a precious few hours per week or even less, and where they learn reading exclusively in Spanish until the fifth grade, then they are receiving unfair treatment and poor education. Their aptitude to acquire a new language -- an aptitude which diminishes with age -- is being squandered. Parents want their children to learn English at school because without it they will be at a tremendous disadvantage – in commerce, in citizenship, on the internet, in many important aspects of American life.

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America's English Learners

The U.S. Department of Education identified 3.5 million LEP students in 1996-1997, an increase from 2.1 million in 1990-91.

85% of these reside in the following ten states: California, Texas, New York, Florida, Illinois, Arizona, New Mexico, New Jersey, Washington and Michigan. There are bilingual education programs currently employed in all fifty states.

Three-quarters of LEP students are Spanish-speaking, which is why bilingual education is widely perceived as an Hispanic issue. The next three most common languages combined, Vietnamese, Hmong, and Cantonese, are spoken by less than 8 percent of LEP students.

Much has been written in recent years about the challenges facing America's Hispanic young people. The 1997 status dropout rate (those not enrolled in school and who have not completed high school) among Hispanic 16- to 24-year olds was 25.3%, as opposed to 13.4% for African-Americans and 7.6% for non-Hispanic whites. The annual, or event dropout rate, which describes the proportion of students who leave school each year without completing a high school program, was 9.5% for Hispanics in grades 10-12, 5.0% for African-Americans and 3.6% for whites.

Shortcomings of Bilingual Education

Bilingual programs vary in methodology but share a common reliance on segregated instruction in students' non-English native language. Advocates of bilingual education emphasize that in their view, children acquire English more smoothly when they are first taught to read (and speak) in their native language. As a result, students can remain in these programs for seven or eight years or even longer. But the reality of the situation is that they generally learn English more slowly, later, and less effectively than their peers.

Much recent scientific research suggests that children who learn a second language at a younger age can do so more effectively, more quickly, even with less likelihood of a pronounced accent. To many parents and educators, this just underscores what their common sense already makes plain. But once students reach the third and fourth grade without adequate English skills, it becomes much more difficult for them to regain the ground they have lost.

Currently, districts are given little incentive to accelerate the rate at which students gain English fluency and graduate to mainstream classrooms. When California voters last spring considered an initiative to effectively end most bilingual education in the state, one widely-cited statistic indicated that less than 7 percent of the state's English learners had successfully graduated out of bilingual programs the previous year. Arizona state Department of Education officials report that only 4 percent of LEP students were reclassified as English proficient in 1998.

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As former Representative Herman Badillo, the nation's first Member of Congress of Puerto Rican descent and a leading proponent of reforming bilingual education, has said, "To keep children in classes where their own native language is used in the hope that they will somehow make the transition to English after five or six years is unacceptable to us."

Bilingual education as we know it today evolved from the Bilingual Education Act of 1968. That legislation in concert with Title VI of the Civil Rights Act of 1964 was designed with the noble intention of providing equitable education for all.

But over the intervening thirty years the federal Department of Education has intermingled the goal of learning English with such tangential concerns as multicultural awareness and cultivating higher self esteem among students. My own review of Title VII bilingual grants has produced examples of such funded programs as:

- A four week orientation class to encourage high school students to pursue bilingual education degrees. While the need for more bilingual education teachers may seem pressing in some districts, using Title VII funds for a program of this purpose would certainly seem to detract resources and energy away from helping English learners acquire basic language skills. (Artesia, New Mexico, $220,000 2-year Program Enhancement grant, #T289P50368, p ii)

- SSOW (Summer School on Wheels) trip to the rain forests of Costa Rica to offer LEP students new experiences. "Students gained valuable insights into the rain forests, animals, volcanoes, and the aspects of life in other countries," explains the program's Title VII grant report. "9 of the 14 students received passing grades for the trip," the document explains, and "overall the trip was a huge success for the children and parents and chaperones alike." (Rocky Boy School District, Box Elder, Montana, $144,920 2-year Program Enhancement grant #T289950376, p 12.)

- Developing educational software for students to use to develop written proficiency in Lakota (Sioux). Lakota is an oral language for which no standard orthography exists, so one had to be developed. The reasoning applied by the program's Title VII personnel stated, "It is important to note that the Lakota language and Sioux culture are a part of our national heritage and programs such as this will ensure this language and culture will not be lost." (Takini School, Howes, South Dakota, $240,039 4-year Comprehensive School grant #T90U50059, p. 13.)

It is not my intention to deride the value of promoting cultural awareness, but it should not dilute a program that Congress clearly intended to promote rapid acquisition of English. And native languages can be preserved at home without causing children to fall behind academically. While many of us have heard the call for wiser spending on education, surely programs such as these seem of dubious value.

What Should Congress Do?

In considering reauthorization of the Elementary and Secondary Education Act of 1965 Congress faces an important opportunity to mend these broken programs to the benefit of millions of this country's English learners. What better way can Congress demonstrate to our Hispanic and other language minority communities that it is working to promote the success of their children than to guarantee that they are taught English as early as possible in their schooling?

Since last June, when California voters approved the "English for the Children" initiative, policymakers around the country have pursued their own measures to reform bilingual education in their schools:

- Denver and Chicago public schools have moved forward with plans to limit the time students spend in bilingual programs to three years.
- The Massachusetts Board of Education earlier this year voted to bar bilingual students from being excluded from taking the Iowa Reading Test.
- Connecticut legislators are considering limiting bilingual programs to 30 months, and also standardizing entrance and exit requirements.

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- Just last month Arizona legislators passed a bilingual education reform bill which, among other things, requires parental consent to participate in bilingual or English as a Second Language (ESL) programs, require principals to remove students from these programs within 5 days of a parent's request, and requires school districts to provide parents with detailed information in advance about their child's bilingual or ESL program.

There are many policy prescriptions available to Congress which could substantially help America's millions of English learners. I respectfully suggest that the subcommittee consider the following measures:

- Let parents choose how their own children learn English, and require written consent before placing a student in bilingual education.

- Safeguard the right of parents to have their child immediately removed from bilingual programs upon their request.

- Limit the amount of time students spend in bilingual programs to three years or less. Secretary of Education Riley testified in February that school districts would be held accountable "for ensuring that LEP students reach the three-year accountability goal" as part of ESEA accountability provisions. Such accountability would have a significant effect on how many school districts teach English.

The subcommittee does not need me to remind it of the broad expanse of programs included in the ESEA, and it may decide that to pursue such measures appears daunting in perspective of other desired reforms. But Hispanic young people have urgent educational needs that cannot wait until the next ESEA reuthorization.

Today's bilingual education programs such as those I have described, while designed with noble intentions, seem less concerned with successfully providing our English learners with the language skills they need than with striking a posture of concern after continuing to fail. Would we not be better off to subscribe to a bold vision of an America where everyone succeeds than to risk promoting failure by renewing such faulty programs?

Committee on Education and the Workforce

Witness Disclosure Requirement – "Truth in Testimony"
Required by House Rule XI, Clause 2(g)

Your Name: Don Soifer		
1. Will you be representing a federal, State, or local government entity? (If the answer is yes please contact the Committee).	Yes	No X
2. Please list any federal grants or contracts (including subgrants or subcontracts) which you have received since October 1, 1997: None		
3. Will you be representing an entity other than a Government entity?	Yes X	No
4. Other than yourself, please list what entity or entities you will be representing: Lexington Institute		
5. Please list any offices or elected positions held or briefly describe your representational capacity with each of the entities you listed in response to question 4: Executive Vice President		
6. Please list any federal grants or contracts (including subgrants or subcontracts) received by the entities you listed in response to question 4 since October 1, 1997, including the source and amount of each grant or contract: None		
7. Are there parent organizations, subsidiaries, or partnerships to the entities you disclosed in response to question number 4 that you will not be representing?	Yes	No X

Signature: ______________________ Date: 6/21/99

Please attach this sheet to your written testimony.

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Lexington Institute

Don Soifer

Executive Vice President

Lexington Institute

Jim Courter
Chairman

Merrick Carey
Chief Executive Officer

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Don Soifer
Executive Vice President

Philip Peters
Vice President

Ernest Blazar
Bonner Cohen
Senior Fellows

Adrienne Janetti
Program Coordinator

Don Soifer is Executive Vice President of the Lexington Institute, a public-policy think tank based in Arlington, Virginia, where he writes on education reform issues. His work has appeared in *The Wall Street Journal, The New York Times, The Christian Science Monitor, Education Week, Richmond* (VA) *Times-Dispatch, Colorado Springs* (CO) *Gazette, Washington Times, Wheeling* (WV) *Intelligencer*, and other outlets around the country. He has also appeared on television and radio.

Prior to joining the Lexington Institute, he served as Program Director for the Alexis de Tocqueville Institution, where he was hired as a Program Assistant in 1994. Mr. Soifer also served as Assistant Director of Communications at Youth Service America, a youth-serving nonprofit organization in Washington, DC. He has written speeches for Representative Susan Molinari and officials at the U.S. Department of the Treasury, and managed two successful small businesses in the District.

He holds a B.A. in political science from Colgate University in Hamilton, New York, where he graduated in 1990. He lives in Washington, DC.

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1925 North Lynn Street Suite 802 · Arlington, VA 22209 · Phone: 703.522.5828 · Fax: 703.522.5837
http://www.lexingtoninstitute.org email: mail@lexingtoninstitute.org

APPENDIX F - WRITTEN STATEMENT OF MR. HECTOR AYALA, DIRECTOR, ENGLISH FOR THE CHILDREN, TEACHER, TUSCON UNIFIED SCHOOL DISTRICT, TUSCON, ARIZONA

HOUSE COMMITTEE ON EDUCATION AND THE WORKFORCE
EARLY CHILDHOOD, YOUTH, AND FAMILIES SUBCOMMITTEE
HEARING ON BILINGUAL EDUCATION
HECTOR AYALA
JUNE 24, 1999

My name is Hector Ayala. I have taught English, including AP English for the last twelve years at Cholla High School in Tucson, Arizona. I am also co director of English for the Children--Arizona, an organization designed to abolish bilingual education in Arizona. I would like to say that I am here to give my rationale for having started this organization, what it is that finally moved us all in Arizona to do something about bi-ed.

To make a long story short, bilingual education can mean several different things, depending on whom you talk to. That in fact is its main drawback. When bilingual ed started out in '68, it began with the focus of teaching non English speakers the English language as quickly and well as possible. Since then, bi ed has been taken over by political groups bent on indoctrinating young children into their political agendas. And the result has been that bi-ed has turned into native language instruction for all immigrant Hispanic students, often for up to seven years, and from my experience, to the detriment of these students' success.

Canadian researcher Jim Cummins and others have felt that children must be taught in their native language and slowly weaned into English as children become more academically proficient; they claim that it takes children anywhere from seven to ten years to learn academic English adequately. This plays right into the hands of separatist political groups and their agendas since it forces Mexican children to retain their Spanish, which in and of itself is not a bad idea. Unfortunately, bilingual education was neither designed to achieve that goal nor can it. And again, it has been my and others' experiences that it does not.

In the meantime our Mexican children do languish all those years in bi-ed only to discover that not only have they not been prepared academically, but neither has their English progressed. As a high school teacher in a bilingual feeder pattern I have experienced what many of my colleagues in similar positions have experienced. My freshmen students who come through our feeder pattern come in reading at about a 4th grade reading level. Every year we receive about 640 freshmen, four years later, only about 200 graduate. The experience of twelve years I have has shown me that these students drop out because they find themselves tragically challenged in their abilities to speak English or do academics, both of which bi-ed claims they teach better than anyone.

The irony is that the movement in favor of bi-ed is generally limited to bi-ed educators. The movement is neither started nor continued by the desire of Mexican parents to make their kids bilingual, which bi-ed cannot do anyway, but by Anglo university professors and perfectly assimilated, professional Hispanics who never went through bi-ed themselves. Now they feel perfectly secure in that this is a program that must be thrust on all Mexican parents and their children.

Our organization English for the Children -- AZ first, decries the ineffectiveness of a system that is generally undefined, arbitrary, and capricious. More often than not, children are placed in bi-ed classrooms without their or their parents' consent or knowledge. Often, monolingual English speaking children are placed in bi-ed classes where they are taught in Spanish based on their Hispanic surname. Also, generally, when parents do find out their children are in bi ed classes they are not allowed to remove them. There is a principal of a bi-ed school who has told parents that in her school there will never be English only classes.

Second, we intend through our initiative to establish a uniform and most effective approach to the teaching of English and that is Structured English Immersion. This method refers to an approach that places elementary aged children in classrooms where academics of grade level are taught to them in English. Contrary to reactionary belief, we have no intention of doing away with Spanish, even in the form of occasional help for a student who may be having problems in the immersion classroom. We are not associated with any English Only or immigrant reform groups. Our intent is solely to afford Young Hispanics the level playing field they deserve, which can only be achieved by speaking English well.

The main issue which turned me against bi-ed has been the results of standardized test scores through the years.
These are examples from last year:

- elementary schools--of the lowest scoring twenty-five elementary schools, twenty-three are bilingual ed schools. Even so, the bilingual director in our district has said that he intends to make all elementary schools in the area bilingual schools. Even he operates on the belief that bilingual schools create bilingual students.
- middle schools--the lowest scoring ten middle schools are all bilingual ed schools.
- high schools--the lowest three scoring high schools are all at the end of bilingual feeder patterns, mine included

(drop out rates are highest for Hispanics than for any other group.
bi-ed has never kept records that would prove any success especially where it's
most important: college attendance and graduation rates.
Every indication points to a general ineffectiveness of bi-ed.)

And what we hear most often is that these kids are doing worse than any other group because they are poor and there is little support in the home. I find it difficult to imagine that any school is incapable of compensating for the deficiencies of the home, either in English or academics. No other school district in Tucson uses bilingual education and they all scored better in their Stanford 9's than any of these bilingual schools.

Another common argument against us is that non-native children must have a command of academic English before they can be taught in English. You don't teach academic English, a child develops academic English by doing academics in English. What they say is equivalent to saying that a child cannot become a concert pianist until he can play piano like a concert pianist; we must not allow him to play the piano then until he can play like a concert pianist.
All a child needs to develop in enough proficiency in English to understand what the teacher is saying; he can then develop the academic English with experience in the classroom. But not if he is taught in his native tongue, which as I said is what is currently happening.

What is being done to these non-English speaking kids amounts to a patent racism, since they are not receiving the same schooling that English speaking children are offered: they are segregated into different rooms, or different areas of the same classroom, they are given different work, usually in Spanish, or simply busy work in English.

Does English Immersion work? Not only is there research that shows it does, but now we are beginning to receive quite encouraging numbers from California which in effect demonstrate the ease with which young children can learn English as long as they are immersed. L.A. Times, San Diego Union-Tribune and the Wall Street Journal have all reported these results.

About research: All we generally hear is that some researcher has seen favorable findings on bi-ed. After thirty years, we need much more than favorable findings. In any case, we must resist flinging research at one another and start concentrating on the fact that there thousands of children who are the real issue. We don't need research that shows bi-ed could work, should work, has worked. We need results.

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ISBN 0-16-059667-X

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